

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.9352 of 2024

Arising Out of PS. Case No.-461 Year-2023 Thana- MANJHAGARH District- Gopalganj

Rajender Pasi @ Rajendra Pasi, Male, aged about 50 years, Son of Late Jansi Pasi, Resident of Village- Bishambharapur @ Bishambharpur, P.S- Manjhagarh, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Setu Prateek, Advocate

For the Opposite Party/s : Ms. Nirmala Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 17-02-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Manjhagarh PS Case No.461 of 2023 instituted for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. As per the prosecution case, total 50 liters of country-made chulai liquor has been recovered.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence and has



falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. From perusal of the FIR, seizure list and impugned order of the learned Special Judge Excise-I, Gopalganj dated 03.01.2024, it appears that the illicit liquor has been recovered from the hut of the petitioner. Seizure list witnesses are local chowkidars of the area. Petitioner is in custody since 26.12.2023.

5. Learned APP opposes the prayer for bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner above named be released on bail ***after framing of charge*** on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-II-cum- Special Judge Excise Court No. 1, Gopalganj in connection with Manjhagarh PS Case No. 461 of 2023.

7. The trial Court is directed to conclude the proceeding of framing of charge according to law within a period of 15 (fifteen days) from the date of receipt of a copy of this order. However, it is made clear that ***if the charge-sheet has not been submitted*** then the petitioner shall be released on bail on above conditions and he shall be present physically on



each and every date before the Trial Court till conclusion of the proceeding of framing of charge.

(Ramesh Chand Malviya, J)

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