

Arising Out of PS. Case No.-2563 Year-2023 Thana- Excise P.S. District- Purnia

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... .. Petitioner/s

Versus

... .. Opposite Party/s

Appearance :
For the Petitioner/s : Ms. Beauty Verma, Advocate

For the Opposite Party/s : Dr. Kumar Uday Pratap, APP

ORAL ORDER

Heard learned counsel appearing on behalf

of the parties.

2. The petitioner seeks bail in connection with Excise P.S. Case No.2563 of 2023 registered for the offence under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per FIR, there is recovery of 223.080 litres of illicit liquor from a Tempo bearing Registration No.BR11PA-1396.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner has falsely been implicated in the present case. It is submitted that recovery of alleged illicit liquor was not made from physical possession of the petitioner rather the same was recovered from all four co-



accused persons. It is further submitted that the petitioner is running tempo for public transportation and has no concern with the alleged recovery of illicit liquor. It is also submitted that seizure list appears doubtful being not supported by independent witnesses, rather by police personnels. It is further submitted that petitioner is a man of clean antecedent and he is in custody since 20.12.2023.

5. Learned APP appearing for the State, opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances and submissions made on behalf of the petitioner, let the petitioner, above named, is directed to be released on bail, ***after framing of the charge***, in connection with Excise P.S. Case No.2563 of 2023 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge (Excise-02), Purnea.

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 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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