

Arising Out of PS. Case No.-491 Year-2023 Thana- GAIGHAT District- Muzaffarpur

- Petitioner/s

The State of Bihar

... .. Opposite Party/s

For the Petitioner/s : Mr.Santosh Kumar
For the Opposite Party/s : Mr.Pushpa Sinha.1

ORAL ORDER

2. The petitioners seek bail in connection with P.S. Case No.491 of 2023 registered for the offence sections 30(a), 36 and 41(1) of the Bihar Prohibition and

4. Learned counsel appearing on behalf of the
s has submitted that petitioners have falsely been
d in the present case. It is submitted that recovery of



alleged illicit liquor was not made from conscious physical possession of the petitioner rather the same was recovered from a truck. It is further submitted that the petitioner has no concern with the alleged recovery of illicit liquor as well as vehicle in question. It is further submitted that petitioner is a man of clean antecedent and he is in custody since 22.12.2023.

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

6. Considering the facts and circumstances and submissions made on behalf of the petitioners, let both the petitioners, above named, are directed to be released on bail, ***after framing of the charge***, in connection with Gaighat P.S. Case No.491 of 2023 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.3, Muzaffarpur.

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 above named petitioners shall be released on bail on furnishing bail bond with further



condition that the petitioners have to present physically on each and every date before the Trial Court till conclusion of trial and if the petitioners would absent for two consecutive dates without any cogent reason, the bail bonds of the petitioners shall be cancelled by the learned trial court itself.

(Ramesh Chand Malviya, J)

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