

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11174 of 2024

Arising Out of PS. Case No.-281 Year-2023 Thana- LALGANJ District- Vaishali

Manoj Rai S/o Rajendra Rai R/o Village - Salempur, P.S. - Lalganj, District -
Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shyameshwar Kumar Singh, Advocate

For the Opposite Party/s : Mr. Ajay Kumar Jha, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 22-02-2024 Heard learned counsel appearing on behalf of the
parties.

2. The petitioner seeks bail in connection with
Lalganj P.S. Case No. 281 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 30 litres of Mahua
liquor from the motorcycle bearing Registration No.B31AX-
0791.

4. Learned counsel appearing on behalf of the
petitioner has submitted that petitioner has falsely been
implicated in the present case and he has not been arrested on
the spot and his name has surfaced on the confessional
statement of co-accused Chandan Paswan. It is further



submitted that recovery of alleged illicit liquor was not made from physical possession of the petitioner rather the same was recovered from the possession of Chandan Paswan. It is submitted that seizure list appears doubtful being not supported by independent witnesses, rather by police personnels. It is further submitted that petitioner has a criminal antecedent as stated in para 3 of the bail petition 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 Lalganj P.S. Case No. 281 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 Court of Exclusive Special Excise Court No.-1-cum-Additional District & Sessions Judge, Vaishali at Hajipur.

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 petitioner shall be released on bail on furnishing bail bond with further condition that the petitioner have to present physically on each and every date before the Trial Court till conclusion of the proceeding of framing of charge.

(Ramesh Chand Malviya, J)

sanjeev/-

U		T	
---	--	---	--

