

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8730 of 2024

Arising Out of PS. Case No.-486 Year-2023 Thana- JAYNAGAR District- Madhubani

Rahul Kumar Yadav, Male, aged about 20 years, Son of Sanjay Yadav @
Sanjay Kumar Yadav, Resident of Village- Korahiya Navtoli Ward No-06,
P.S.- Jaynagar District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Lakshmi Kant Sharma, APP

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

ORAL ORDER

2 16-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Jaynagar PS Case No. 486 of 2023 instituted for the offences
punishable under Sections 272, 273, 414/34 of the Indian Penal
Code and Section 30(a) of the Bihar Prohibition and Excise
Act.

3. As per the prosecution case, total 178.5 liter illicit
liquor has been recovered from the *tempo*.

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. There is no specific
allegation in the FIR as to how many liters of wine recovered
from the possession of the petitioner or what quantity of wine



recovered. Petitioner has got no criminal antecedent as stated in para-3 of the petition. Petitioner is in custody since 10.12.2023.

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 A.D.J.-II-cum-Special Judge Excise Act, Madhubani in connection with Jaynagar PS Case No. 486 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 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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