

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11175 of 2024

Arising Out of PS. Case No.-256 Year-2019 Thana- AWTARNAGAR District- Saran

RAJU RAY Son of Jai Bhagwan Ray Resident of Village-Pipara Tola (Balua),
P.S.-Doriganj, District-Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dewendra Narayan Singh

For the Opposite Party/s : Mr.Abhay Kumar Roy

**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
Awatarnagar P.S. Case No.256 of 2019, registered for the
offence under Sections 188, 272, 273, 308/34 of the Indian
Penal Code and Section 30(a), 38 of the Bihar Prohibition and
Excise Act.

3. As per FIR, there is recovery of 70 litres of Mahua
wine has been recovered.

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. It is further submitted that the petitioner has no concern with the alleged recovery of illicit liquor. 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 one criminal antecedent of similar nature and he is in custody since 18.10.2023.

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 Awatarnagar P.S. Case No.256 of 2019, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge 2nd cum-Ist Exclusive Special Judge, Excise, Saran at Chapra.

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)

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