

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.10586 of 2024**

Arising Out of PS. Case No.-287 Year-2018 Thana- DORIGANJ District- Saran

RAJU RAI Son of Jai Bhagwan Rai Resident of Village-Pipara Tola, Purvi  
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.Lalan Kumar

**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  
Doriganj P.S. Case No.287 of 2018 registered for the offence  
under Sections 272 and 273 of the Indian Penal Code and  
Section 30(a) and 38 of the Bihar Prohibition and Excise Act.

3.      As per FIR, there is recovery of 170 litres of  
illicit liquor from bank of river Ganga in Village Pipara Tola.

4.      Learned counsel appearing on behalf of the  
petitioner has submitted that petitioner has falsely been  
implicated in the present case, where, petitioner was not arrested  
on spot. 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 the bank of river Ganga, which is accessible to general public. It is further submitted that the petitioner has no concern with the alleged recovery of illicit liquor as well as place of recovery. It is also submitted there there is no seizure as regard to fermented solution. It is further submitted that petitioner is in custody since 25.11.2023.

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 Doriganj P.S. Case No.287 of 2018 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 3<sup>rd</sup> Exclusive Special Excise Judge, 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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