

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10235 of 2024

Arising Out of PS. Case No.-483 Year-2023 Thana- NAUTAN District- West Champaran

Chandeshwar Yadav Son of Chandrika Yadav Resident of Vill-Bariyarpur,
P.S.-Nautan, Distt.-West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Kishor Mishra, Adv.

For the Opposite Party/s : Mr.Nitya Nand Tiwary, APP

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

ORAL ORDER

2 21-02-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner is in custody in connection
with Nautan P.S Case No. 483 of 2023 registered for the
offences punishable under Section-30(a) of the Bihar
Prohibition and Excise Act.

3. As per allegation in the FIR, total 77.4 litre
illicit liquor was recovered.

4. Learned counsel for the petitioner submits
that petitioner has falsely been implicated in this case.
He further submits that no incriminating article was
recovered from the conscious possession of the



petitioner. It is also submitted that petitioner is in judicial custody since 23.11.2023. Petitioner has got no criminal antecedent as stated in para 3 of the petition.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. On perusal of the FIR, impugned order and period of custody and also considering the aforesaid facts and circumstances of the case and submissions made on behalf of the petitioner, let the above named petitioner be released on bail *after framing of the charge* on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise-1, Bettiah, District- West Champaran in connection with Nautan P.S Case No. 483 of 2023.

7. The trial court is directed to conclude the proceeding of framing of charge according to law within a period of 15 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 released on bail on the above conditions and he 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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