

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9540 of 2024

Arising Out of PS. Case No.-115 Year-2023 Thana- SANGRAMPUR District- East Cham-
paran

Shayam Kumar, Male, aged about 19 years, S/o- Madan Ray @ Madan Ya-
dav R/o- Bariyariya Tola Bhushan PS- Sangrampur Dist- East Champaran
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepankar Raj, Advocate
For the Opposite Party/s : Mr. Gauri Shankar Gupta, APP

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

ORAL ORDER

2 19-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody in connection with Sangrampur P.S. Case No.115 of 2023 registered for an offence punishable under Sections 414 of the IPC and Sections 30(a), 32 and 41(i) of the Bihar Prohibition and Excise Amendment Act, 2018.

3. As per allegation in the FIR, total 18 liters of foreign liquor was recovered from the dickey of the Super Splendor motorcycle bearing registration No.BR-22Z-3501.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case and the petitioner has no concern with the seized liquor. On perusal of the seizure list, there are no independent witnesses. Petitioner is in custody since 18.10.2023.



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

6. Considering the aforesaid facts and submission made on behalf of the petitioner, the prayer for regular bail of the petitioner is allowed. Accordingly, let the above named petitioner be released on bail ***after framing of the charge*** on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Court of Exclusive Special Excise Judge-I, Civil Court, East Champaran at Motihari in connection with Sangrampur P.S. Case No. 115 of 2023.

7. The trial Court is directed to conclude the proceeding of framing of charge according to the law within a period of 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 above conditions and 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)

Brajesh Kumar/-

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