

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8745 of 2024

Arising Out of PS. Case No.-578 Year-2023 Thana- RUNISAIDPUR District- Sitamarhi

Manoj Kumar, aged about 34 years, Male Son of Late Rameshwar Prasad Mandal, Resident of Village-Ward No. 10, Gadha, P.S.-Runnisiadpur, District-Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ayush Kumar, Advocate

For the Opposite Party/s : Mr. Nityanand, 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 Runnisaidpur PS Case No. 578 of 2023 instituted for the offences punishable under Sections 30(a), 32(i) (ii), 36, 41(i) (ii) of the Bihar Prohibition and Excise Act, 2018

3. As per the prosecution case, total 98.280 liters of Foreign liquor was recovered from a four wheeler vehicle.

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. Petitioner is not the owner of the vehicle. Nothing has been recovered from the conscious possession of the petitioner. Petitioner is in custody since



23.11.2023.

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 Exclusive Special Excise Court-I, Sitamarhi in connection with Runnisaipur PS Case No. 578 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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