

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8600 of 2024

Arising Out of PS. Case No.-564 Year-2023 Thana- Excise P.S. District- Begusarai

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PAWAN KUMAR @ DEEPAK KUMAR SON OF SUKUMAR MISHRA
R/O-SUJA WARD NO. 14, P.S.-MUFFASIL, DISTT.-BEGUSARAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sabal Kumar Jha

For the Opposite Party/s : Mr.Binod Kumar

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

ORAL ORDER

2 15-02-2024 Heard learned counsel appearing on behalf
of the parties.

2. The petitioner seeks bail in connection with
Excise P. S. Case No.564 of 2023 registered for the offence
under Sections 30(a), 30(c), 32(3), 36, 56 and 62 of the Bihar
Prohibition and Excise Act.

3. Allegation against the petitioner is to have
involved in the business of illicit liquor and there is recovery of
135.200 litres of illicit liquor and 40 litres of spirit from house
of the petitioner.

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 conscious physical possession of the petitioner rather the same was recovered from house of the petitioner, which is situated in lonely place of the village and the same is accessible to general public. 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 is a man of clean antecedent and he is in custody since 31.12.2023.

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 Excise P.S. Case No.564 of 2023 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge Excise Court No.2, Begusarai.

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 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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