

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8723 of 2024

Arising Out of PS. Case No.-466 Year-2023 Thana- BAHADURPUR District- Darbhanga

Santosh Sahu, Male, aged about 30 years, Son of Ram Briksh Sahu, Resident of Village -Pansiha, Police Station -Bahadurpur (Pator O.P.) District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nilendu Kumar Choudhary, Advocate

For the Opposite Party/s : Ms. Asha Devi, 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 Bahadurpur PS Case No. 466 of 2023 instituted for the offences punishable under Sections 30(a), 32(i), 32(ii), 41 and 47 of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, total 1105.92 liters of foreign liquor has been recovered from a *truck*.

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 named in the FIR. Nothing has been recovered from the conscious



possession of the petitioner. Similarly situated co-accused persons namely Akshay Chauhan @ Akshay Raj Chauhan, Anish Kumar, Sonu Kumar Thakur and Md. Akram have been granted bail by a co-ordinate Bench of this Court in Cr. Misc. Nos. 76371 of 2023, 84457 of 2023, 85283 of 2023 and 4832 of 2024 by order dated 30.11.2023, 18.01.2024, 09.01.2024 and 06.02.2024, respectively. Petitioner is in custody since 25.11.2023.

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 Judge-I (Excise Act), Darbhanga in connection with Bahadurpur PS Case No. 466 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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