

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.10256 of 2024**

Arising Out of PS. Case No.-1196 Year-2023 Thana- GAYA MUFASIL District- Gaya

SANTAN KUMAR SON OF RAM CHANDRA SINGH R/O-SONAUT, P.S.-  
MOFFASIL, DISTT.-GAYA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Sheikh Arkan Ahmad  
For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur

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

ORAL ORDER

2      22-02-2024                      Heard learned counsel appearing on behalf  
of the parties.

2.              The petitioner seeks bail in connection with  
Muffasil P.S. Case No.1196 of 2023 registered for the offence  
under Section 30(a) of the Bihar Prohibition and Excise Act.

3.              As per FIR, there is recovery of 300 litres of  
illicit liquor from a tempo.

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  
a tempo. It is further submitted that the petitioner has no



concern with the alleged recovery of illicit liquor as well as vehicle in question. It is also submitted that petitioner was a driver of alleged vehicle, where, he has no knowledge about the illegal consignment 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 01.12.2023.

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 Muffasil P.S. Case No.1196 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 Excise Court No.1st Gaya.

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 above named petitioner shall be released on bail on furnishing bail bond with further condition that the petitioner have to 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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