

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8618 of 2024

Arising Out of PS. Case No.-183 Year-2023 Thana- HUSSAINGANJ District- Siwan

VIKASH KUMAR YADAV @ VIKESH YADAV SON OF SURENDRA
YADAV THEPAHA UTTAR TOLA, P.O.-THEPAHA RAJA RAM, P.S.-
JIRADEI, DISTT.-SIWAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Shahi
For the Opposite Party/s : Mr.Ahmad Ali

**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
Hussainganj P.S. Case No.183 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 405 litres of
illicit liquor from a Scorpio vehicle bearing registration No.BR-
29H-1421.

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 Scorpio vehicle. 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 similarly situated co-accused person has already been granted bail by one of the learned co-ordinate Bench of this Court through Cr. Misc. No. 7868 of 2024 on 12.02.2024. It is further submitted that petitioner is in custody since 25.11.2023 and he is remanded in the present case from Jiradei P.S. Case No. 130 of 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 Hussainganj P.S. Case No.183 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 Judge-01, Siwan.

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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