

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8889 of 2024

Arising Out of PS. Case No.-32 Year-2023 Thana- PHULPARAS District- Madhubani

Prabhu Rai @ Prabhu Ray @ Prabhu Yadav S/O Chandeshwar Yadav @ Chandrashekhar Yadav R/O Mohalla- Kisanipatti, P.S- Ghoghardiha, District- Madhubani.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Bharti, Advocate
For the Opposite Party/s : Mr. Parmanand Prasad, 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 regular bail in connection with Phulparas P.S. Case No. 32 of 2023 registered for the offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2022.

3. It is a case of recovery of total 1023 liters of foreign liquor from the mango orchard.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. He further submits that the petitioner is in custody since 08.12.2023. Similarly situated co-accused person, namely,



Hira Lal @ Hira Lal Roy @ Hira Lal Ray has already been granted bail by co-ordinate Bench of this Court in Cr. Misc. No. 23274 of 2023 vide order dated 16.05.2023.

5. However, learned APP for the State vehemently opposed the prayer for regular bail.

6. Having heard both the parties, perused the first information report, seizure list, bail petition and impugned order dated 08.01.2024 passed by learned Special Judge, Excise, Jhanjharpur, Madhubani. From the impugned order it appears that charge has already been framed against the petitioner. Considering the aforesaid facts and circumstances, the period of custody of the petitioner, the above named petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Court of learned Special Judge, Excise Act, Jhanjharpur, Madhubani in connection with Phulparas P.S. Case No. 32 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 framed then the petitioner shall present on each and every date



before the Trial Court till conclusion of the proceeding.

(Ramesh Chand Malviya, J)

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