

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8358 of 2024

Arising Out of PS. Case No.-354 Year-2023 Thana- SULTANGANJ District- Patna

Md Rijvi @ Vicky Son of Md Aleem @ Md. Alim @ Haleem Cheek Resident
of New Azimabad Colony, PS- Sultanganj, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Pradhan, Advocate

For the Opposite Party/s : Mr. Tapeswar Sharma, APP

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

ORAL ORDER

2 15-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with
Sultanganj P.S. Case No. 354 of 2023 registered for the offence
under Sections 30(a) of Bihar Prohibition and Excise
(Amendment) Act.

3. It is a case of recovery of 423.36 liters of english liquor
from a pick-up van bearing registration No. BR01GD-3208.

4. Learned counsel for the petitioner submits that the
petitioner is innocent committed no offence and has falsely been
implicated in the present case.

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



6. Having heard learned counsel for the parties, perused the FIR, seizure list, bail petition and impugned order dated 10.01.2024 passed by learned Exclusive Special Court of Excise, Patna City, it appears that petitioner was not apprehended on the spot and no recovery was made from the possession of the petitioner. Considering the aforesaid facts and circumstances, the above named petitioner is directed to be released on bail *after framing of charge* on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise, Patna City in connection with Sultanganj P.S. Case No. 354 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 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 physically on each on every date before the Trial Court till conclusion of the proceeding.

(Ramesh Chand Malviya, J)

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