

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10808 of 2024

Arising Out of PS. Case No.-270 Year-2023 Thana- GANGABRIDGE District- Vaishali

Om Prakash Kumar @ Raja Kumar Son of Umesh Prasad Yadav @ Umesh
Rai Resident of Lal Pokhar Dighi, P.S.-Sadar Hajipur, Distt.-Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vikramadit, Advocate

For the Opposite Party/s : Mr. Khurshid Anwar, APP

**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
Ganga Bridge P.S. Case No.270 of 2023 registered for the
offence under Sections 467, 468, 471, 420 and 120(B)/34 of the
Indian Penal Code and Section 30(a), 36, 41(i) of the Bihar
Prohibition and Excise Act.

3. As per FIR, there is recovery of 981.360 litre
of illicit liquor from a pickup van.

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 physical possession of



the petitioner rather the same was recovered from a pickup van. It is further submitted 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 persons have already been granted bail by this Court through Cr. Misc. No. 8256 of 2021 and Cr. Misc. No. 9821 of 2024 on 13.02.2024. It is further submitted that petitioner is a man of clean antecedent and he is in custody since 09.12.2023. It is also submitted that investigation of this case has been completed, for which, charge-sheet has already been submitted in this case.

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 Ganga Bridge P.S. Case No.270 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.1-cum-Additional District & Sessions Judge, Vaishali at Hajipur.

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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