

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11552 of 2024

Arising Out of PS. Case No.-493 Year-2023 Thana- BARBIGHA District- Sheikhpura

Mukesh Chaudhary Son of Yugeshwar Chaudhary R/o vill - Narayanpur, P.S.
- Barbigha, Distt. - Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Anjani Pd. Singh

For the Opposite Party/s : Mr.Shyam Bihari Singh

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA

ORAL ORDER

2 23-02-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner is in custody in connection with Barbigha P.S Case No. 493 of 2023 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise (Amendment Act), 2018.

3. As per F.I.R., 3 litre of illicit liquor has been recovered from the possession of the petitioner.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. He further submits that on perusal of the seizure list,



there is no independent witness. It is also submitted that petitioner is in judicial custody since 27.11.2023.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. On perusal of the FIR, impugned order and period of custody and also considering the aforesaid facts and circumstances of the case and submissions made on behalf of the petitioner, let the above named petitioner be released on bail *after framing of the charge* on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J. Special Excise Act in connection with Barbigha P.S Case No. 493 of 2023.

7. The trial court is directed to conclude the proceeding of framing of charge according to law within a period of 15 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 be released on bail on the above conditions and he shall be 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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