

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9422 of 2024

Arising Out of PS. Case No.-352 Year-2023 Thana- BAUNSI District- Banka

1. Ravi Malik S/O- Nilu Malik R/O- Village- Masabara, P.S.- Bardhman, Dist.- Bardhman (WEST Bangal).
2. Rajiv Sah @ Rajiv Sav @ Rajib Shaw S/O- Krishnadeo Sah @ Krishna Dev Sah R/O- Village- Teli Pokhar, P.S.- Bardhman, Dist.- Bardhman (WEST Bangal)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashank Shekhar, Adv.

For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 17-02-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner is in custody in connection with Bounsi P.S Case No. 352 of 2023 registered for the offence punishable under Section 30 (a) and 47 of the Bihar prohibition and Excise Act 2018.

3. As per allegation in the FIR, total 786.12 litres of illicit liquor was recovered from a vehicle.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case.



He further submits that nothing has been recovered from the possession of the petitioner, petitioner has got clean antecedent as stated in para-3 of the petition and he is in judicial custody since 07.12.2023.

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

6. 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 Special Excise No. 702 of 2023 learned Additional District & Sessions Judge-II, Banka in the connection with Bounsi P.S Case No. 352 of 2023.

7. The trial court is directed to conclude the proceeding of framing of charge according to law 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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