

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10985 of 2024

Arising Out of PS. Case No.-410 Year-2021 Thana- ATRI District- Gaya

Sanjay Yadav son of Sidheshwar Yadav Vill- Phul Bigha (Fulbigha) Ps- Atri
Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailesh Kumar

For the Opposite Party/s : Mr.Kumar Ranjit Ranjan

**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 Atri
P.S. Case No. 410 of 2021, registered for the offence under
Sections 272, 273 of the Indian Penal Code and Section 30 (A)
& (D) of the Bihar Prohibition and Excise (Amendment) Act,
2018.

3. As per FIR, there is recovery of 800 litre semi
liquid of Mahua from Ghoghara Badhar situated at west of
village Gehuni.

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. It is further submitted that the petitioner has no concern with the alleged recovery of illicit liquor. It is submitted that seizure list appears doubtful being not supported by independent witnesses, rather by police personnels. It is further submitted that two co-accused have been granted bail by a Coordinate Bench of this Court vide order dated 11.08.2022 and 07.04.2023 passed in Cr. Misc. No.28373 of 2022 and Cr. Misc. No.5354 of 2023 respectively. Petitioner is in custody since 20.12.2023.

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 Atri P.S. Case No. 410 of 2021, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court of Exclusive Special Excise Judge, Court No.1, Gaya.

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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