

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8851 of 2024

Arising Out of PS. Case No.-216 Year-2023 Thana- DEV District- Aurangabad

Sagar Kumar @ Tulsi Kumar S/o- Ram Raj Paswan Village- Ajaniya Po- Erki
Ps- Deo Dist- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Sinha, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar, APP

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

ORAL ORDER

2 16-02-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner is in custody in connection
with Deo P.S Case No. 216 of 2023 registered for the
offence punishable under Section 30(a) of the Bihar
Prohibition and Excise Amendment Act 2018.

3. As per allegation in the FIR, total 100 litres
of country made liquor was recovered from a
motorcycle during patrolling of the police.

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 12.12.2023. The petitioner has got no criminal antecedent as stated in para 3.

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 learned Special Judge, Excise-01, Aurangabad in connection with Deo P.S Case No. 216 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 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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