

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12177 of 2024

Arising Out of PS. Case No.-383 Year-2021 Thana- NAWADA District- Nawada

Utpalkant @ Utpalkant Kumar @ Babloo Kumar son of Late Sukan Prasad @
Sukan Yadav Village- Gondapur Ps- Nawada Dist-Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar Sinha, Adv.

For the Opposite Party/s : Mr.Suman Kumari Singh, APP

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

ORAL ORDER

2 27-02-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner is in custody in connection
with Nawada Town P.S Case No. 383 of 2021 registered
for the offences punishable under Sections 33, 34 and
36 of Bihar Excise Act (Amendment) 2016.

3. As per prosecution case, the informant
purchased one pouch of liquor from one unknown
person and after drinking the same, he became ill and
loss his eye sight.

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



is further submitted that no incriminating article has been recovered from the conscious possession of the petitioner. Petitioner's name surfaced on the confessional statement of the co-accused. It is also submitted that petitioner is in judicial custody since 15.06.2021.

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 Exclusive Special Excise Judge 1st, Nawada in connection with Nawada, Town P.S Case No. 383 of 2021.

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)

Mayank/-

U		T	
---	--	---	--

