

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8883 of 2024

Arising Out of PS. Case No.-87 Year-2023 Thana- Excise P.S. District- Madhubani

Rahul Kumar @ Rahul Kumar Yadav Son Of Ram Chandra Yadav Resident
Of Village-Madhiya Ward No. 2, P.S.-Basopatti, District-Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Prakash, Advocate

For the Opposite Party/s : Ms. Nirmala Kumari, 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 seeks regular bail in connection with
G.O. Case No. 3347 of 2023 arising out of Benipatti Excise
Case No. 87 of 2023 registered for the offence under Sections
30(a) and 37 of the Bihar Prohibition and Excise Act.

3. It is a case of recovery of total 72 liters of illicit liquor.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. He further submits that the petitioner is in custody
since 18.10.2023

5. However, learned APP for the State vehemently
opposed the prayer for regular bail.



6. Having heard both the parties, perused the first information report, seizure list, bail petition and impugned order dated 13.12.2023 passed by learned Additional Sessions Judge – II – cum Special Judge, Excise Act, Madhubani. Considering the aforesaid facts and circumstances, the period of custody of the petitioner, the above named petitioner is directed to be released on bail *after framing of charge* on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Court of learned Additional Sessions Judge – II – cum – Special Judge, Excise Act, Madhubani in connection with G.O. Case No. 3347 of 2023 arising out of Benipatti Excise Case No. 87 of 2023.

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 framed then the petitioner shall present on each and every date before the Trial Court till conclusion of the proceeding.

(Ramesh Chand Malviya, J)

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