

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9438 of 2024

Arising Out of PS. Case No.-341 Year-2023 Thana- BAUNSI District- Banka

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1. Maharaja Pratap Singh Son of Dharendra Singh Resident of Village-Khopi, P.S.-Jandaha, Distt.-Vaishali
 2. Sachin Kumar Son of Amarnath Singh Resident of Village-Khopi, P.S.-Jandaha, Distt.-Vaishali

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Tej Narayan Singh, Advocate. Mr. Pravin Kumar, Advocate. Mr. Harsh Kumar Singh, Advocate.
For the Opposite Party/s :		Mr. Ajay Kumar No. 2, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 19-02-2024 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners are in custody in connection with Bounsi P.S Case No. 341 of 2023 registered for the offences punishable under Sections 30(a) and 47 Bihar Prohibition and Excise Act, 2018.

3. As per allegation in the FIR, total 612 litres of illicit foreign liquor was recovered from the pick up van.

4. Learned counsel for the petitioners submits



that petitioners have falsely been implicated in this case. He further submits that on perusal of seizure list there are no independent witnesses. It is also submitted that petitioners are in judicial custody since 03.12.2023.

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

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 petitioners, let the above named petitioners 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 Additional District and Sessions Judge-II, Banka in connection with Bounsi P.S Case No. 341 of 2023

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 petitioners 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)

Nilmani/-

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