

Arising Out of PS. Case No.-1729 Year-2023 Thana- Excise P.S. District- Patna

Arising Out of PS. Case No.-1729 Year-2023 Thana- Excise P.S. District- Patna

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aryan Singh

For the Opposite Party/s : **Mr.Tarkeshwar Nath Thakur**

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

ORAL ORDER

2 13-02-2024 Heard learned counsel appearing on behalf
of the parties.

2. The petitioner seeks bail in connection with Excise (Prohibition) P.S. Case No.1729 of 2023 registered for the offence under Sections 30(a) and 56(b) of the Bihar Prohibition and Excise Act.

3. As per FIR, the petitioner is involved in illegal trading of illicit liquor and there is recovery of 563.400 litre of illicit liquor from Scorpio car bearing Registration No.BR-44R-5226.

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 rather the same was recovered from Scorpio car. It is also submitted that petitioner is neither driver nor owner of the Scorpio car. It is further submitted the petitioner has no concern with the alleged recovery of illicit liquor as well as vehicle in question. It is further submitted that petitioner is a man of clean antecedent and he is in custody since 24.11.2023. It is further submitted that seizure list appears doubtful being not supported by independent witnesses, rather by police personnels.

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 Excise (Prohibition) P.S. Case No.1729 of 2023 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise-3rd, Patna.

7. However, 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.

(Ramesh Chand Malviya, J)

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