

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.9837 of 2024**

Arising Out of PS. Case No.-202 Year-2023 Thana- GANGABRIDGE District- Vaishali

Amitabh Kumar @ Amitabh Bachhan S/O- Upendra Ray R/O- Village-  
Terasiya, P.S.- Ganga Bridge, Dist.- Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Anuj Kumar, Advocate

For the Opposite Party/s : Mr.Suresh Prasad Singh, APP

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

ORAL ORDER

3      21-03-2024                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks bail in connection with Ganga  
bridge P.S. Case No. 202 of 2023 instituted for the offences  
punishable under Sections 30(a), 36 and 41(i) of Bihar  
Prohibition and Excise Act.

3. As per the prosecution case, total 9289.800 liters of  
illicit liquor has been recovered from the three vehicles.

4. Learned counsel for the petitioner submits that  
petitioner is innocent and has committed no offence. He has  
falsely been implicated in this case due to high handedness of  
police. He has no concern with the alleged recovery. Neither the  
petitioner was arrested on the spot nor any incriminating article



has been recovered from his conscious possession. As submitted by learned counsel for the petitioner that petitioner has no concern with the said three vehicles. Both the seizure list witnesses are police personnel which is complete violation of Section 100 of Cr.P.C. Petitioner is languishing in judicial custody since 29.12.2023.

5. Learned APP for the State has vehemently opposed the prayer for bail.

6. Considering the facts and circumstances of the case and submissions made on behalf of the petitioner as well as period of custody of the petitioner, let the above named petitioner be released on bail *after framing of charge* on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No.1-cum-Additional District and Sessions Judge, Vaishali at Hajipur in connection with Ganga bridge P.S. Case No. 202 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 submitted* then the petitioner shall be released on



bail on furnishing bail bond with further condition that one of the bailors must be close relative of the petitioner and the petitioner have to present physically on each and every date before the Trial Court till conclusion of trial and if the petitioner would absent for two consecutive dates without any cogent reason, the bail bonds of the petitioner shall be cancelled by the learned trial court itself.

(Ramesh Chand Malviya, J)

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