

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9434 of 2024

Arising Out of PS. Case No.-444 Year-2023 Thana- DIDARGANJ District- Patna

Shankar Rai @ Shankar Ray S/O- Munarik Rai @ Munarik Ray R/O- Village-
Didarganj, Back Side Gali Of Kumar Petrol Pump. P.S.- Didarganj, Dist.-
Patna

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad, Advocate.

For the Opposite Party/s : Mr. Abhay Kumar Roy, A.P.P.

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

ORAL ORDER

2 19-02-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner is in custody in connection
with Didarganj P.S Case No. 444 of 2023 registered for
the offences punishable under Section 30(a) and 36 of
the Bihar Prohibition and Excise Act.

3. As per allegation in the FIR, 9 litres illicit
liquor was recovered from Maruti car vehicle and 30.96
litres liquor was recovered from the house of the
petitioner i.e. total 39.96 liters illicit liquor was
recovered.



4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. He further submits that petitioner is not the owner of the said Maruti car vehicle. It is also submitted that petitioner is in judicial custody since 05.01.2024.

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 Court No.-1-cum-Additional District & Sessions Judge, Vaishali at Hajipur in connection with Didarganj P.S Case No. 444 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 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)

Nilmani/-

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