

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11183 of 2024

Arising Out of PS. Case No.-328 Year-2019 Thana- KARAHGAR District- Rohtas

=====

Akhilesh Kumar Singh S/o Uma Shankar Singh R/o Vill - Madhubani, P.S. -
Kudra, Dist. - Kaimur at Bhabhua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Singh

For the Opposite Party/s : Mr.Yogendra Kumar Singh

=====

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

ORAL ORDER

2 22-02-2024 Heard learned counsel appearing on behalf of the

parties.

2. The petitioner seeks bail in connection with
Kargahar (Barhari O.P.) P.S. Case No. 328 of 2019, registered
for the offence under Section 30(a) of the Bihar Prohibition and
Excise Act and Section 25(1-b)a/26/30 of Arms Act.

3. As per FIR, there is recovery of 5440.14
litres of illicit from the rice mill of Mahavir Saw.

4. Learned counsel appearing on behalf of the
petitioner has submitted that petitioner has falsely been
implicated in the present case and he has not been named in the
F.I.R. It is further submitted that the petitioner has no concern
with the alleged recovery of illicit liquor. It is submitted that



seizure list appears doubtful being not supported by independent witnesses, rather by police personnels. It is further submitted that other co-accused persons have been granted bail by the Coordinate Bench of this Court vide order dated 02.12.2020 and 29.07.2021 passed in Cr. Misc. No.25754 of 2020 and Cr. Misc. No.26345 of 2021. It is further submitted that petitioner has a criminal antecedent as stated in para 3 of the bail petition and he is in custody since 12.11.2023.

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 Kargahar (Barhari O.P.) P.S. Case No. 328 of 2019, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise Court No.1, Rohtas at Sasaram.

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 above named petitioner shall be released on bail on furnishing bail bond with further condition that the petitioner have to present physically on each and every date before the Trial Court till conclusion of the proceeding of framing of charge.

(Ramesh Chand Malviya, J)

sanjeev/-

U		T	
---	--	---	--

