

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10274 of 2024

Arising Out of PS. Case No.-119 Year-2022 Thana- MEDNI CHAUKI District- Lakhisarai

Vikash Kumar SON OF PAVAN YADAV RESIDENT OF VILLAGE-
LAHSORWA, PS- PIRIBAZAR, DISTT- LAKHISARAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Prasad

For the Opposite Party/s : Mr.Bishweshwar Ram

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 21-02-2024 Heard learned counsel appearing on behalf
of the parties.

2. The petitioner seeks bail in connection with Mednichowki P.S. Case No.119 of 2022 registered for the offence under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per FIR, there is recovery of 05 liters of illicit liquor from a motorcycle bearing no. BR08F1115.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner has falsely been implicated in the present case, where, petitioner was not arrested on spot. It is submitted that recovery of alleged illicit liquor was



not made from conscious physical possession of the petitioner rather the same was recovered from a motorcycle. It is further submitted that 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 in custody since 30.09.2023.

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 Mednichowki P.S. Case No.119 of 2022 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-V-cum-Exclusive Special Court No.2, Excise Act, Lakhisarai.

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)

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