

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9338 of 2024

Arising Out of PS. Case No.-186 Year-2023 Thana- SALIMPUR District- Patna

Ramesh Kumar, Male, aged about 35 years, Son of Kapil Ray, Resident of Village- Saidpur, P.S.- Salimpur, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Bihari Singh, Advocate

For the Opposite Party/s : Mr. Parmanand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 17-02-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Salimpur PS Case No. 186 of 2023 instituted for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 110 liters Desi Wine was recovered from a sack.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence and has falsely been implicated in this case on the basis of suspicion. The recovery is from the joint house of the petitioner. Petitioner has not arrested on the spot. He has surrendered before the trial



Court. Petitioner has got no criminal antecedent as stated in para-3 of the petition. Petitioner is in custody since 08.01.2024.

5. Learned APP opposes the prayer for bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner above named 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 Special Exclusive Judge, Excise, Barh Patna in connection with Salimpur PS Case No. 186 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 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)

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