

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.9097 of 2024**

Arising Out of PS. Case No.-676 Year-2023 Thana- SAKRA District- Muzaffarpur

Shambhu Kumar @ S.P (Male) aged about 35 years, son of Baidhnath Mahto  
@ Baijnath Mahto, resident of village-Sakra Faridpur, P.S. Sakra, District-  
Muzaffarpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

|                          |   |                               |
|--------------------------|---|-------------------------------|
| For the Petitioner/s     | : | Mr. Mritunjay Kumar, Advocate |
| For the Opposite Party/s | : | Mr. Lakshmi Kant Sharma, APP  |

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

ORAL ORDER

3      21-03-2024                      Heard learned counsel appearing on behalf of the parties.

2. The petitioner seeks bail registered for the offence under Sections 30(a)/32(i)(ii), 36 and 41(1) of the Bihar Prohibition and Excise Amendment Act, 2018.

3. As per the prosecution case, it is a case of recovery of total 990.720 liters of illicit foreign liquor from the accused persons.

4. Learned counsel for the petitioner has submitted that petitioner has falsely been implicated in this case. He next submits that no independent witness of seizure list, he has no concern with the seized liquor and nothing has been recovered from the possession of the petitioner. Petitioner is in cus-



tody since 18.12.2023.

5. Learned APP appearing for the State, opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case, let the petitioner, above named, be directed to be released on bail ***after framing of the charge*** in connection with Sakra P.S. Case No.676 of 2023 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 Court Excise-I, Muzaffarpur.

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)

Brajesh Kumar/-

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