

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8712 of 2024

Arising Out of PS. Case No.-758 Year-2023 Thana- AURANGABAD TOWN District-
Aurangabad

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Neeraj Kumar, aged about 24 years, Male Son of Dinesh Singh, Resident of
Village - Kathrua, P.S. - Aurangabad Town, District – Aurangabad, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Aman Vishal, Advocate

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

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

ORAL ORDER

2 16-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Aurangabad Town PS Case No. 758 of 2023 instituted for the
offences punishable under Section 30(a) of the Bihar Prohibition
and Excise (Amendment)Act, 2018.

3. As per the prosecution case, total 94.5 liters of
illicit liquor has been recovered from a *tempo*.

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. Nothing has been recovered
from the conscious possession of the petitioner. Petitioner is in
custody since 24.12.2023.



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 Judge Excise, 1st, Aurangabad, Bihar in connection with Aurangabad (Town) PS Case No. 758 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 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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