

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8137 of 2024

Arising Out of PS. Case No.-918 Year-2023 Thana- DIGHA District- Patna

Sonu Kumar, Male, aged about 30 years, Son of Late Triloki Mahto R/o Mohalla - Ramji Chak Digha, Bata Ganj, Rajkiya Madhya Vidyalaya School Lane, P.S. - Digha, Distt. - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Krishna Jha

For the Opposite Party/s : Mr.Syed Ehteshamuddin

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

3 20-03-2024 Heard learned counsel appearing on behalf of the parties.

2. The petitioner seeks bail in connection with Digha P.S. Case No. 918 of 2023 registered for the offence under Sections 30(a), 32(2)(3), 36, 41(2)(1) of the Bihar Prohibition and Excise Act.

3. As per FIR, there is recovery of 3557.510 litre of illicit liquor from different pickup vans.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner has falsely been implicated in the present case. 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



different pickup vans. It is further submitted that the petitioner has no concern with the alleged recovery of illicit liquor as well as vehicles in question. It is further submitted that petitioner is in custody since 04.01.2024.

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 Digha P.S. Case No. 918 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 Special Judge Excise 2nd at Patna.

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 trial and if the petitioner would absent for two consecutive dates without any



cogent reason, the bail bonds of the petitioner shall be cancelled
by the learned trial court itself.

(Ramesh Chand Malviya, J)

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