

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8458 of 2024

Arising Out of PS. Case No.-381 Year-2023 Thana- MAIRWAN District- Siwan

1. Rahul Yadav Son of Ramashish Yadav R/o village - Inguri Sarai (Mahui), P.S. - Bankatta, District - Deoria
2. Mustafa Ansari Son of Sahram Ansari R/o village - Rampur Buzurg, P.S. - Bankatta, District - Deoria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Kumari Anupam, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 15-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with Mairwa P.S. Case No. 381 of 2023 registered for the offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. It is a case of recovery of total 108 liters of Bunt Buble lime liquor.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. He further submits that the petitioner is in custody since 17.12.2023.



5. However, learned APP for the State vehemently opposed the prayer for regular bail.

6. Having heard both the parties, perused the first information report, seizure list, bail petition and impugned order dated 10.01.2024 passed by learned Exclusive Special Excise, Court No. 01, Siwan. Considering the aforesaid facts and circumstances, the period of custody of the petitioner, the above named petitioner is directed to be released on bail *after framing of charge* on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Court of learned Court of Exclusive Special Excise Court No. 1, Siwan in connection with Mairwa P.S. Case No. 381 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 framed then the petitioner shall present on each and every date before the Trial Court till conclusion of the proceeding.

(Ramesh Chand Malviya, J)

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