

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9080 of 2024

Arising Out of PS. Case No.-905 Year-2023 Thana- Excise P.S. District- Aurangabad

Nikhil Kumar Son of Satyendra Chauhan R/o vill - Ajanina, P.S. - Narari Kala
Khurd, Distt. - Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukul Kumari, Adv.

For the Opposite Party/s : Mr.Suresh Prasad Singh, 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 is in custody in connection with G.R
No. 1690/2023 arising out of Excise P.S Case No. 905 of 2023
registered for the offence punishable under Section 30(a) , 32 (I)
and 32(3) of the Bihar Prohibition of Excise Act 2018.

3. As per allegation in the FIR, total 86.400 litres of
illicit liquor was recovered from vehicle.

4. Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case. He further
submits that nothing has been recovered from the possession of
the petitioner and he is in judicial custody since 12.12.2023.
Petitioner got clean antecedent.

5. However, learned APP for the State oppose the



prayer for regular bail of the petitioner.

6. On perusal of the seizure list, FIR, Considering the aforesaid facts, and circumstances of the case and submissions made on behalf of the petitioner, let the above named petitioner be released on bail *after framing of the charge* on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned court of Special Judge of Excise, Aurangabad in the connection with G.R No. 1690/2023 arising out of Excise P.S Case No. 905 of 2023.

7. The trial court is directed to conclude the proceeding of framing of charge according to law a period of one month 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 the 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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