

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12565 of 2024

Arising Out of PS. Case No.-455 Year-2023 Thana- KOTWALI District- Munger

PANDAV KUMAR @ RITIK KUMAR S/o Sri Dileep Yadav Resident of
Village-Sherpur, P.O.-Basudeopur, P.S.-Kotwali (Basudeopur O.P.), District-
Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hemant Karn

For the Opposite Party/s : Mr.Mukesh Kumar Singh

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

ORAL ORDER

2 26-02-2024 Heard learned counsel appearing on behalf
of the parties.

2. The petitioner seeks bail in connection with
Kotwali (Basudeopur O.P) P.S. Case No.455 of 2023 registered
for the offence under Section 30(a) and 32 of the Bihar
Prohibition and Excise Act.

3. As per FIR, there is recovery of total
1096.560 litre of illicit liquor from a container truck bearing
registration no. RJ11GB5234.

4. Learned counsel appearing on behalf of the
petitioner has submitted that petitioner has falsely been
implicated in the present case, where, petitioner was not arrest
on spot. 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 a container truck. It is further submitted that the petitioner has no concern with the alleged recovery of illicit liquor as well as vehicle in question. It is also submitted that similarly situated co-accused persons have already been granted bail by this Court through Cr. Misc. No.8724 of 2024, Cr. Misc. No.8726 of 2024 on 16.02.2024 and Cr. Misc. No.10044 of 2024 on 21.02.2024. It is further submitted that petitioner is in custody since 07.01.2024.

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 Kotwali (Basudeopur O.P) P.S. Case No.455 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 Judge, Excise-II, Munger.

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)

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