

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8749 of 2024

Arising Out of PS. Case No.-311 Year-2023 Thana- SARAI RANJAN District- Samastipur

Anil Kumar Jha @ Bhulla Jha @ Bhulla, aged about 39 years, Male Son of Rambalak Jha, Resident of Village- Jhakhra, P.S.-Sarai Ranjan, District-Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anish Kumar, Advocate
For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

**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 Sarai Ranjan PS Case No. 311 of 2023 instituted for the offences punishable under Sections 30(a) and 41(i)(ii) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 455.445 liters of illicit liquor was recovered from a Pick-up Van and Alto Car.

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. Petitioner is neither arrested from the spot nor any incriminating articles has been recovered from the conscious possession of the petitioner. Similarly situated co-accused persons namely, Varun Ray @ Bhagat, Dilip



Kumar Ray and Rohit Kumar have been granted bail by a co-ordinate Bench of this Court in Cr. Misc. Nos. 85772 of 2023, 625 of 2024 and 4993 of 2024 dated 10.01.2024 and 24.01.2024 respectively. Petitioner is in custody since 10.01.2024.

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 Excise Court No.2, Samastipur in connection with Sarai Ranjan PS Case No. 311 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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