

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10981 of 2024

Arising Out of PS. Case No.-267 Year-2023 Thana- VIJAYEPUR District- Gopalganj

Abhishek Singh @ Abhishek Singh S/o Late Ajay Singh R/o Vill - Marar Khas,
P.S. - Vijaipur (Bijaipur), Dist. - Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lokesh Kumar Singh

For the Opposite Party/s : Mr.Nitya Nand Tiwary

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

ORAL ORDER

2 22-02-2024 Heard learned counsel appearing on behalf of the parties.

2. The petitioner seeks bail in connection with Vijaipur P.S. Case No. 267 of 2023, registered for the offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per FIR, there is recovery of 81 litres of country-made chulai liquor from the gunny bag which was tied on the motorcycle bearing Registration No. UP-52-AE-9013.

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 physical possession of



the petitioner rather the same was recovered from a motorcycle. It is further submitted that the petitioner has no concern with the alleged recovery of illicit liquor as well as motorcycle in question. It is submitted that seizure list appears doubtful being not supported by independent witnesses, rather by police personnels. It is further submitted that petitioner is three more criminal cases and he is in custody since 26.08.2023.

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 Vijaipur P.S. Case No. 267 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 Additional Sessions Judge-IV-cum-Exclusive Special Judge, Excise Court No.-II, Gopalganj.

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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