

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9452 of 2024

Arising Out of PS. Case No.-904 Year-2023 Thana- KATIHAR NAGAR District- Katihar

Chitranjan Yadav S/O- Sri Jai Prakash Yadav R/O- Village- Baldia Badi, P.S.-
Manihari, Dist.- Katihar.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Singh, Adv.

For the Opposite Party/s : Mr.Kalyan Shankar, APP

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

ORAL ORDER

2 20-02-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner is in custody in connection
with Katihar Town (Sahayak) P.S Case No. 904 of 2023
registered for the offence punishable under Sections
30(a) of the Bihar Prohibition and Excise Act.

3. As per allegation in the FIR, total 110.28
litre foreign liquor was recovered from a vehicle.

4. Learned counsel for the petitioner submits
that petitioner has falsely been implicated in this case.
He further submits that no incriminating article was
recovered from the possession of the petitioner. It is



next submitted that on perusal of the seizure list there is no independent witness. It is also submitted that petitioner is in judicial custody since 06.12.2023. The petitioner has got no criminal antecedent.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. On perusal of the FIR, impugned order and period of custody and also 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 Additional Sessions Judge cum Spl. Judge, Excise Court No. 2, Katihar in connection with Katihar Town (Sahayak) P.S Case No. 904 of 2023.

7. The trial court is directed to conclude the proceeding of framing of charge according to law within a period of 15 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 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.

Mayank/-

(Ramesh Chand Malviya, J)

U		T	
---	--	---	--

