

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9774 of 2024

Arising Out of PS. Case No.-163 Year-2023 Thana- SANHAULA District- Bhagalpur

Vikash Tanti Son Of Subodh Tanti R/O-Mohamadpur, P.S.-madusudanpur,
Distt.-bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh, Adv.

For the Opposite Party/s : Mr. Madhuri Lata, 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 Sanhoulla P.S Case No. 163 of 2023 registered for the offences punishable under Sections 30 (a) of the Bihar Prohibition and Excise Amendment Act 2016 and 414 of the I.P.C.

3. As per allegation in the FIR, total 59.5 litres of illicit liquor was recovered from a tempo.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. He further submits that petitioner is not the owner of



said tempo. It is next submitted that on perusal of the seizure list there are no independent witnesses. It is also submitted that petitioner is in judicial custody since 26.10.2023. 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 Special Excise Judge 2nd Bhagalpur in connection with Sanhoulla P.S Case No. 163 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.

(Ramesh Chand Malviya, J)

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