

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10270 of 2024

Arising Out of PS. Case No.-587 Year-2020 Thana- RAJAOLI District- Nawada

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Ganesh Yadav @ Ganesh Prasad Yadav S/O- Late Chando Yadav R/O-
Village- Jogani, P.S.- Rajauli, Dist.- Nawada.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pramod Kumar Verma

For the Opposite Party/s : Mr.Madhuri Lata

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CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA

ORAL ORDER

2 21-02-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner is in custody in connection
with Rajauli P.S Case No. 587 of 2020 registered for the
offences punishable under Section 30(a) of the Bihar
Prohibition and Excise Act 2016.

3. As per allegation in the FIR, there was total
recovery of 25 litre illicit liquor from the place of spot.

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



it is recovery is made from bank of river which is accessible to anyone. It is also submitted that petitioner is in judicial custody since 19.12.2023.

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 Exclusive Special Excise Court No. 2, Nawada in connection with Rajauli P.S Case No. 587 of 2020.

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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