

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9105 of 2024

Arising Out of PS. Case No.-673 Year-2023 Thana- DHAKA District- East Champaran

Akshay Kumar, Male, aged about 26 years, Son of Dinesh Sah, Resident of
Village- Ratanpur P.S.- Piprahi District- Shivhar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashikant, Advocate

For the Opposite Party/s : Mr. Narsingh Tanti, APP

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

ORAL ORDER

2 17-02-2024 Learned counsel for the petitioner is permitted to
make necessary correction in the prayer portion of the petition
during the course of the day.

2. Heard learned counsel for the petitioner and learned
APP for the State.

3. The petitioner seeks bail in connection with Dhaka
(Pachpakari) PS Case No. 673 of 2023 instituted for the
offences punishable under Section 30(a) and 41(1) of the Bihar
Prohibition and Excise Act.

4. As per the prosecution case, total 110.1 liters of
Nepalese liquor has been recovered from a motorcycle.

5. Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. Seizure list witnesses are members of the raiding party. Petitioner has got no criminal antecedent as stated in para-3 of the petition. Petitioner is in custody since 18.12.2023.

6. Learned APP opposes the prayer for bail.

7. 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 Exclusive Special Excise Judge-I, East Champaran, Motihari in connection with Dhaka (Pachpakari) PS Case No. 673 of 2023.

8. 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 released on bail on 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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