

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9007 of 2024

Arising Out of PS. Case No.-307 Year-2023 Thana- KHAGAUL District- Patna

Md. Sahnawaj, Son of Md. Mumtaj, aged about 35 years, Male Resident of
Mohalla- Marshal Bazar Chiktoli, P.S.- Danapur, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sadanand Goswami, Advocate

For the Opposite Party/s : Mr. Jai Narain Thakur, APP

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

ORAL ORDER

2 17-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Khagaul PS Case No. 307 of 2023 instituted for the offences
punishable under Section 30(a) of the Bihar Prohibition and
Excise Act.

3. As per the prosecution case, total 440 liters of illicit
country made liquor has been recovered from a car.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence and has
falsely been implicated in this case. From perusal of the first
information report, seizure list and impugned order of the
learned Special Excise Judge, Danapur dated 10.10.2023, it
appears that total 440 liters of illicit country made liquor was
recovered from a car and at that time petitioner is driving the
said vehicle and arrested at the spot. Petitioner has got no



criminal antecedent as stated in para-3 of the petition. Petitioner are in custody since 20.07.2023.

5. Learned APP opposes the prayer for bail.

6. 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 Special Judge, Excise Court, Danapur in connection with Special Excise Case No. 2183 of 2023, arising out of Khagaul PS Case No. 307 of 2023.

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 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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