

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10040 of 2024

Arising Out of PS. Case No.-480 Year-2023 Thana- KONCH District- Gaya

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Vishram Chaudhary @ Vishram Chaudhari Son Of Late Moti Chaudhary
Resident Of Village-Dharhara, Tola-Husechak, P.S.-Konch, District-Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

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

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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 Konch P.S Case No. 480 of 2023 registered for the
offences punishable under Sections 30 (c) and (d) of the
Bihar Prohibition and Excise Amendment Act, 2022.

3. As per allegation in the FIR, total 120 litre of
illicit liquor was recovered.

4. Learned counsel for the petitioner submits
that petitioner has falsely been implicated in this case.
He further submits that liquor was recovered from the
house of the petitioner where no one was present at the



time of alleged raid. He next submits that petitioner was not arrested on the spot. On perusal of seizure list there was no independent witnesses. It is also submitted that petitioner is in judicial custody since 04.11.2023.

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 Judge, Excise Court No. IV, Gaya in connection with Konch P.S Case No. 480 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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