

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9619 of 2024

Arising Out of PS. Case No.-168 Year-2023 Thana- PHULPARAS District- Madhubani

Pawan Kumar Mandal, Gender-Male, aged about 47 years, Son of late Hira Lal Mandal, Resident of Village-Belha, P.S.-Phulparas, Distt.-Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Bharti, Advocate

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 19-02-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner is in custody in connection with Phulparas P.S. Case No.168 of 2023 registered for an offence punishable under Section 30(a) of the Bihar Prohibition and Ex-cise Act, 2018.

3. As per allegation in the FIR, total 108 liters of Nepali mahua liquor was recovered from a pond.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. He next submits that he has no concern with the said pond. On perusal of the seizure list, there are no independent witnesses. Petitioner is in custody since 17.10.2023.



5. However, learned APP for the State opposes the prayer for regular bail of the petitioner.

6. Considering the aforesaid facts and submission made on behalf of the petitioner, the prayer for regular bail of the petitioner is allowed. Accordingly, let the above named petitioner be released on bail ***after framing of the charge*** on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Jhanjharpur, District-Madhubani in connection with Phulparas P.S. Case No. 168 of 2023 corresponding to G.R.No.178 of 2023.

7. The trial Court is directed to conclude the proceeding of framing of charge according to the law within a period of 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 above named petitioner shall be released on bail on above conditions and the petitioner 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)

Brajesh Kumar/-

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