

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16384 of 2024

Arising Out of PS. Case No.-660 Year-2023 Thana- BRAHMPUR District- Buxar

Pura Ram, Male, Aged about 22 years, S/o Samela Ram, R/o Roli, P.S.-Guda Malani, District-Barmer, Rajasthan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sumit Shekhar Pandey, Advocate

For the Opposite Party/s : Ms. Nirmala Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

3 22-04-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Brahmpur P.S. Case No. 660 of 2023 instituted for the offences punishable under Sections 420, 467, 468 and 471 of the Indian Penal Code and Sections 30(a), 36 and 41(1) of Bihar Prohibition and Excise Amendment Act.

3. As per the prosecution case, petitioner was apprehended on the spot with a truck and from the said truck bearing registration No. MH14KQ-0572, total 4426.725 liters of illicit foreign liquor along with some other material was recovered.

4. Learned counsel for the petitioner submits that



petitioner is innocent and has committed no offence. Being driver of the said truck, he has falsely been implicated in this case. He has no concern with the alleged recovery. Nothing incriminating article has been recovered from his conscious possession. As submitted by learned counsel for the petitioner that petitioner is not the owner of alleged truck and he has no any concern with seized articles. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. He is languishing in judicial custody since 05.11.2023.

5. Learned APP for the State has vehemently opposed the prayer for bail.

6. Perused the case diary and impugned order dated 18.12.2023 and also considering the facts and circumstances of the case, submissions made on behalf of the petitioner as well as period of custody of the petitioner, let the above named petitioner 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 Court of Special Excise Court No.II, Buxar, Bihar in connection with Brahmpur P.S. Case No.660 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 furnishing bail bond with further condition that one of the bailors must be close relative of the petitioner and learned trial Court must be verified the relation of bailor and petitioner and further, the petitioner have to present physically on each and every date before the trial Court till conclusion of trial after release.

(Ramesh Chand Malviya, J)

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