

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11536 of 2024

Arising Out of PS. Case No.-755 Year-2023 Thana- FATEHPUR District- Gaya

Manoj Ram, gender-male, aged about 35 yeas S/o Sri Ram R/o Vill - Raja
Bigha, P.S. - Fatehpur, Dist. - Gaya, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anmol Kumar, Advocate

For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara, APP

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

ORAL ORDER

2 23-02-2024 Heard learned counsel appearing on behalf of the
parties.

2. The petitioner seeks bail in connection with Fateh-
pur P.S. Case No.-755 of 2023 registered for the offence punish-
able under Sections 30(a) and 37 of the Bihar Prohibition and
Excise Amendment Act, 2022.

3. As per allegation in the FIR, total 374.25 liters of
foreign liquor was recovered from a car.

4. Learned counsel appearing on behalf of the peti-
tioner has submitted that petitioner has falsely been implicated
in this and he has no concern with the alleged vehicle and noth-
ing has been recovered from the conscious possession of the pe-
titioner. He next submits that the petitioner is neither the driver
of the said car nor the owner of the said vehicle. Petitioner has
got clean antecedent as stated in para-3 of the petition and he is
in custody since 16.10.2023.



5. Learned APP appearing for the State, opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances and alleged liquor has not been recovered from the conscious physical possession of this petitioner, let the petitioner, above named, is directed to be released on bail *after framing of the charge* in connection with Fatehpur P.S. Case No.755 of 2023 (Special) on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge Court No.IV, Gaya.

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 above named petitioner shall be released on bail on furnishing bail bond with further condition that the petitioner have to 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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