

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.9762 of 2024**

Arising Out of PS. Case No.-370 Year-2021 Thana- BIBHUTIPUR District- Samastipur

Monu Thakur @ Monu Kumar Thakur, Male, aged about 23 years, Son of  
Birju Thakur R/o vill - Karrakh, P.S. - Bibhutipur, Distt. - Samastipur  
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Rabindra Kumar Priyadarshi  
For the Opposite Party/s : Mr. Sanjay Kumar, 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  
Bibhutipur P.S. Case No.370 of 2021 registered for an offence  
punishable under Section 30(a) of the Bihar Prohibition and Ex-  
cise (Amendment) Act, 2016.

3. As per allegation in the FIR, total 4518 liters of for-  
eign liquor was recovered from a truck bearing registration  
no.AS23AC5259.

4. Learned counsel for the petitioner submits that peti-  
tioner has falsely been implicated in this case and petitioner has  
not been arrested at the spot and his name transpired during  
course of investigation and he has no concern with the seized  
truck. Petitioner is in custody since 09.01.2024.

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 Court of Vasant Kumar, Exclusive Special Judge, Excise-I, Samastipur/concerned Court in connection with Bibhutipur P.S. Case No. 370 of 2021.

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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