

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9835 of 2024

Arising Out of PS. Case No.-77 Year-2023 Thana- LADANIA District- Madhubani

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Ram Ekbal Yadav Son of Visheshwar Yadav @ Viso Yadav R/o vill - Lagdi,
P.S. - Ladaniya, Distt. - Madhubani

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ratnakar Jha

For the Opposite Party/s : Mr.Dashrath Mehta

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

ORAL ORDER

2 20-02-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner is in custody in connection
with Ladaniya P.S Case No. 77 of 2023 registered for
the offences punishable under Sections 272, and 273/34
of the I.P.C and 30(a) of Bihar Prohibition and Excise
Act, 2016.

3. As per allegation in the FIR, total 108 litre
illicit liquor was recovered.

4. Learned counsel for the petitioner submits
that petitioner has falsely been implicated in this case.
He further submits that petitioner's name is surfaced



from the confessional statement of the co-accused. It is also submitted that petitioner is in judicial custody since 14.12.2023. No incriminating article has been recovered from the conscious possession of the petitioner.

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 learned Addl. Sessions Judge -II- cum- Special Judge, Excise Act, Madhubani in connection with Ladaniya P.S Case No. 77 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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