

Arising Out of PS. Case No.-9 Year-2022 Thana- YADOPUR District- Gopalganj

... .. Petitioner/s

Versus

... .. Opposite Party/s

For the Petitioner/s : Mr.Devashish Giri
For the Opposite Party/s : Mr.Ramesh Chandra

ORAL ORDER

Heard learned counsel appearing on behalf

of the parties.

2. The petitioner seeks bail in connection with Jadopur P.S. Case No.09 of 2022 registered for the offence under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per FIR, there is recovery of 192 litre of illicit liquor from a bullock-cart.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner has falsely been implicated in the present case, where, petitioner was not arrested on spot. It is submitted that recovery of alleged illicit liquor was not made from conscious physical possession of the petitioner rather the same was recovered from a bullock-cart. It is further



submitted that the petitioner has no concern with the alleged recovery of illicit liquor as well as bullock-cart. It is also submitted that similarly situated co-accused persons, who have arrested on spot, have already been granted bail by a learned co-ordinate Bench of this Court through Cr. Misc. 14161 of 2022 on 08.07.2022. It is further submitted that petitioner is in custody since 02.01.2024.

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

6. Considering the facts and circumstances and submissions made on behalf of the petitioner, let the petitioner, above named, is directed to be released on bail, ***after framing of the charge***, in connection with Jadopur P.S. Case No.09 of 2022 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge Excise-I, Gopalganj.

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)

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