

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12359 of 2024

Arising Out of PS. Case No.-301 Year-2020 Thana- KHUSRUPUR District- Patna

Bipin Kumar S/O Vijay Singh R/O Village- Malpur, P.S- Khushrupur, Distt.- Patna, Bihar.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :
For the Petitioner/s : Mr.Anirudh Kumar Singh, Adv.
For the Opposite Party/s : Mr.Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 26-02-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner is in custody in connection with Khusrupur P.S Case No. 301 of 2020 registered for the offences punishable under Sections 30(a) of Bihar Prohibition and Excise Act.

3. As per prosecution case, total 1632.450 litre illicit liquor was recovered from the house of co-accused.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. It is further submitted that no incriminating article has



been recovered from the conscious possession of the petitioner. It is next submitted that in similarly situated condition one of the co-accused has been granted bail by the Co-ordinate Bench of this Court vide order dated 29.04.2023 passed in Cr. Misc. No. 13325 of 2023. Petitioner is not arrested on the spot. Petitioner's name is surfaced from the statement of the local *Chokidar*. It is also submitted that petitioner is in judicial custody since 03.11.2023.

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 Exclusive Special Court of Excise Patna City in connection with Khusrupur P.S



Case No. 301 of 2020 .

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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