

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10021 of 2024

Arising Out of PS. Case No.-436 Year-2023 Thana- RANIGANJ District- Araria

Deepak Nayak @ Prince Kumar S/o- Shyam Nayak @ Shyamnandan Nayak
Village- Raniganj Hasanpur Ps- Raniganj Dist- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Adv.

For the Opposite Party/s : Mr. Nand Kumar, APP

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

ORAL ORDER

2 21-02-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner is in custody in connection
with Raniganj P.S Case No. 436 of 2023 registered for
the offences punishable under Sections 30 (a) of Bihar
Prohibition and Excise Act.

3. As per allegation in the FIR, total 444 litres
of foreign made liquor recovered from a Tata Magic.

4. Learned counsel for the petitioner submits
that petitioner has falsely been implicated in this case.
He further submits that petitioner has no concerned with
the vehicle in question. Learned counsel next submits



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 12.01.2024 passed in Cr. Misc. No. 86560 of 2023. It is also submitted that petitioner is in judicial custody since 19.12.2023.

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 Judge, Excise -I, Araria in connection with Raniganj P.S Case No. 436 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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