

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10360 of 2024

Arising Out of PS. Case No.-108 Year-2023 Thana- SUIYA District- Banka

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Sourabh Kumar @ Saurabh Kumar Son of Krishnanadan Singh R/o vill -
Chhitraur (Nayagaun), P.S. - Nayagaun, Distt. - Begusarai

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shubhesh Pandey, Adv.

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

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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 Suiya P.S Case No. 108 of 2023 registered for the
offences punishable under Section 30(a) of the Bihar
Prohibition and Excise Amendment Act 2022.

3. As per allegation in the FIR, total 224.625
litre of illicit liquor was recovered from the car.

4. Learned counsel for the petitioner submits
that petitioner has falsely been implicated in this case.
He further submits that petitioner is not arrested on spot.
On perusal of the seizure list there is no independent



witness. No incriminating articles has been recovered from the possession of the petitioner. It is also submitted that petitioner is in judicial custody since 22.12.2023.

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 Additional District & Sessions Judge-V, Banka in connection with Suiya P.S Case No. 108 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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