

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10555 of 2024

Arising Out of PS. Case No.-220 Year-2023 Thana- AANDAR District- Siwan

Chuman Yadav @ Chuman Kumar Yadav son of Rajesh Yadav R/o village-
sultanpur @ (Sultanpur Dahabadi), P.S.- Aandar, Dist.- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shambhu Prasad Yadav

For the Opposite Party/s : Mr.Jagdhar Prasad

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

ORAL ORDER

2 21-02-2024 Heard learned counsel appearing on behalf
of the parties.

2. The petitioner seeks bail in connection with
Aandar P.S. Case No.220 of 2023 registered for the offence
under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per FIR, there is recovery of 1202 litre of
illicit liquor from three Scorpions bearing registration nos.
BR29AU7106, BR28P1451 and HRG2499 respectively.

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 physical possession of the petitioner rather the



same was recovered from different vehicles. It is further submitted that the petitioner has no concern with the alleged recovery of illicit liquor as well as vehicles in question. It is also submitted that similarly situated co-accused person has already been granted bail by one of the learned co-ordinate Bench of this Court through Cr. Misc. No. 5649 of 2024 on 16.02.2024. It is further submitted that petitioner is in custody since 31.01.2024.

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 Aandar P.S. Case No.220 of 2023 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge Excise, Court No.1, Siwan.

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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