

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10548 of 2024

Arising Out of PS. Case No.-2163 Year-2023 Thana- Excise P.S. District- Gaya

1. Raushan Pant SON OF KAMLESH SINGH VILLAGE -MALPA PS
-GURARU DISTRICT -GAYA
2. PRINCE KUMAR SON OF RABINDRA PRASAD RESIDENT OF
VILLAGE- PENDAPUR, PS- GURUA, DIST- GAYA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhukar Anand
For the Opposite Party/s : Mr.Umeshanand Pandit

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

ORAL ORDER

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

2. The petitioners seek bail in connection with Excise P.S. Case No.2163 of 2023 registered for the offence under Sections 30(a) and 32(3) of the Bihar Prohibition and Excise Act.

3. As per FIR, there is recovery of 116.250 liters of illicit liquor from a car bearing registration no.BR01CG4625.

4. Learned counsel appearing on behalf of the petitioners has submitted that petitioners have falsely been implicated in the present case. It is submitted that recovery of



alleged illicit liquor was not made from physical possession of the petitioners. It is further submitted that the petitioners have no concern with the alleged recovery of illicit liquor. It is submitted that seizure list appears doubtful being not supported by independent witnesses, rather by police personnels. It is further submitted that petitioners are men of clean antecedent and they are in custody since 20.12.2023.

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 petitioners, let both the petitioners, above named, are directed to be released on bail, ***after framing of the charge***, in connection with Excise P.S. Case No.2163 of 2023 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Excise Court No.3, Gaya.

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 petitioners shall



be released on bail on furnishing bail bond with further condition that the petitioners 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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