

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11562 of 2024

Arising Out of PS. Case No.-257 Year-2023 Thana- HATHUA District- Gopalganj

Vikash Kumar @ Vikash Kumar Sah Son of Shivnath Sah Resident of
Village- Atwa Durg, P.S.- Hathua, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Dubey

For the Opposite Party/s : Mr.Nand Kishore Prasad

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

ORAL ORDER

2 23-02-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner is in custody in connection
with Hathua P.S Case No. 257 of 2023 registered for the
offences punishable under Sections 30(a) of the Bihar
Prohibition and Excise (Amendment Act), 2022.

3. As per F.I.R., 143.280 litres of illicit liquor
has been recovered from two motorcycles.

4. Learned counsel for the petitioner submits
that petitioner has falsely been implicated in this case.
He further submits that the petitioner is not arrested on
spot. It is also submitted that petitioner is in judicial



custody since 8.1.2024.

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 and Sessions Judge-II-Cum-Special Judge, Excise Court No.1, Gopalganj in connection with Hathua P.S Case No. 257 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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