

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12615 of 2024

Arising Out of PS. Case No.-332 Year-2021 Thana- BAKHARI District- Begusarai

Prince Kumar S/o Chandra Bhushan Mahto R/o Village- Samasa, Gudaam
Tola, Ward No. 12, P.S.- Naokothi, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arjun Prasad, Advocate

For the Opposite Party/s : Mr.Ajay Kumar No. 2

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

ORAL ORDER

2 27-02-2024 Heard learned counsel appearing on behalf of the
parties.

2. The petitioner seeks bail in connection with
Bakhri P.S. Case No. 332 of 2021, registered for the offence
under Section 120(B) of the Indian Penal Code and Section
30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per FIR, there is recovery of 2964.96
litres of Indian made foreign liquor from the truck bearing
Registration No.BR11L-8911.

4. Learned counsel appearing on behalf of the
petitioner has submitted that petitioner has falsely been
implicated in the present case. It is further submitted that the
petitioner has no concern with the alleged recovery of illicit



liquor as well as vehicle in question. It is further submitted that the petitioner is not named in the F.I.R. and other co-accused person has already been granted bail. It is submitted that seizure list appears doubtful being not supported by independent witnesses, rather by police personnels. It is further submitted that petitioner has one criminal antecedent and he is in custody since 29.12.2023.

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 petitioner, let the petitioner, above named, is directed to be released on bail, ***after framing of the charge***, in connection with Bakhri P.S. Case No. 332 of 2021, 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.-II, Begusarai.

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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