

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11035 of 2024

Arising Out of PS. Case No.-167 Year-2023 Thana- VIDYAPATINAGAR District-
Samastipur

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Shubham Kumar @ Shubham Kumar Chaudhary @ Kar Babu Son of Late
Ram Sringar Chaudhary @ Late Ramshrgaar Chaudhary Resident of Vill.-
Sherpur, P.S.-Vidyapatinagar, Distt.-Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mahendra Pratap

For the Opposite Party/s : Mr.Ahmad Ali

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CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA

ORAL ORDER

2 22-02-2024 Heard learned counsel appearing on behalf of the

parties.

2. The petitioner seeks bail in connection with

Vidyapatinagar P.S. Case No. 167 of 2023, registered for the

offence under Section 30(a) of the Bihar Prohibition and Excise

(Amendment) Act, 2018.

3. As per FIR, there is recovery of 20.625 litres

of illicit foreign liquor from the hut of the petitioner.

4. Learned counsel appearing on behalf of the

petitioner has submitted that petitioner has falsely been

implicated in the present case. It is submitted that recovery of

alleged illicit liquor was not made from physical possession of



the petitioner. 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 a four criminal antecedent as stated in para 3 of the bail petition and he is in custody since 25.10.2023.

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 as well as period of custody, let the petitioner, above named, is directed to be released on bail, **after framing of the charge**, in connection with Vidyapatnagar P.S. Case No. 167 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 Court of Special Judge, Excise-I, Samastipur.

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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