

Arising Out of PS. Case No.-119 Year-2023 Thana- Excise P.S. District- Vaishali

Arising Out of PS. Case No.-119 Year-2023 Thana- Excise P.S. District- Vaishali

... .. Petitioner/s

Versus

... .. Opposite Party/s

For the Petitioner/s : Mr.Rajesh Ranjan

For the Opposite Party/s : Mr.Shahabuddin Azeem @ S. Azeem

ORAL ORDER

Heard learned counsel appearing on behalf

of the parties.

2. The petitioner seeks bail in connection with Mahua Excise P.S. Case No.119 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 84 litres of illicit liquor from bush behind the house 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 rather the same was recovered from bush, behind



the house of the petitioner, which is accessible to general public. It is further submitted that the petitioner has 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 petitioner is in custody since 28.12.2023.

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 Mahua Excise P.S. Case No.119 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 Extra Special Excise Court-II-cum-Additional District and Sessions Court, Hajipur, Vaishali.

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.

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(Ramesh Chand Malviya, J)

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