

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10250 of 2024

Arising Out of PS. Case No.-238 Year-2023 Thana- CHERIYA BARIYARPUR District-
Begusarai

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Sachin Kumar @ Sachin Kumar Sahni @ Polo Sahni S/O Fulchandra Sahni
R/O Village- Manjhaul (ASPTAL Tola), P.S- Cheriya Bariyarpur, Distt.-
Begusarai.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nakul Jamuar, Adv.

For the Opposite Party/s : Mr.Pronoti Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA

ORAL ORDER

2 21-02-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner is in custody in connection
with Cheriya P.S Case No. 238 of 2023 registered for
the offences punishable under Sections 30(a), 30(d) of
the Bihar Prohibition and Excise Amendment Act-2018.

3. As per allegation in the FIR, 15 litre illicit
liquor recovered from the orchard.

4. Learned counsel for the petitioner submits
that petitioner has falsely been implicated in this case.
He further submits that no incriminating article has been



recovered from the conscious possession of the petitioner. Liquor is recovered from the orchard which is accessible to anyone. It is also submitted that petitioner is in judicial custody since 14.12.2023.

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 Exclusive Special Judge, Excise-1st, Begusarai in connection with Cheriya P.S Case No. 238 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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