

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.12423 of 2024**

Arising Out of PS. Case No.-274 Year-2023 Thana- BASOPATTI District- Madhubani

Shiv Kumar Mahto, Sex-M, Age about 26 years, S/o Jawahar Mahto Resident  
of Village - Ijra, P.S. - Rahika, Dist. - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Bhavesh Sah, Advocate

For the Opposite Party/s : Mr. Sangeeta Sharma, APP

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

**ORAL ORDER**

2      27-02-2024      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks bail in connection with Basopatti P.S. Case No.274 of 2023 registered for the offence under Sections 272 and 273/34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, it is a case of 900 liters of Nepali liquor has been recovered from a pick-up van.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner has falsely been implicated in this case. He next submits that petitioner is a driver of the said vehicle and he has no concern with the seized liquor. Petitioner has got clean antecedent as stated in para-3 of the petition and he is in custody since 11.12.2023.

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 Basopatti P.S. Case No.274 of 2023 (G.R. No. 1779 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 2<sup>nd</sup> Additional Sessions Judge-cum-Special Judge Excise Act, Madhubani.

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)**

Brajesh Kumar/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

