

Arising Out of PS. Case No.-173 Year-2022 Thana- DORIGANJ District- Saran

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... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

For the Petitioner/s : Mr.Sachida Nand Rai
For the Opposite Party/s : Mr.Syed Ehteshamuddin

ORAL ORDER

Heard learned counsel appearing on behalf

of the parties.

2. The petitioner seeks bail in connection with Doriganj P.S. Case No.173 of 2022 registered for the offence under 30 and 30(a) of the Bihar Prohibition and Excise Act.

3. As per FIR, there is recovery of 110 litre of illicit liquor from a hut.

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 conscious physical possession of the petitioner rather the same was recovered from a hut. It is further submitted that the petitioner has no concern



with the alleged recovery of illicit liquor as well as hut in question. 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 30.11.2023.

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 Doriganj P.S. Case No.173 of 2022 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 3rd Exclusive Special Excise Court, Saran at Chapra.

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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