

Arising Out of PS. Case No.-103 Year-2017 Thana- MASHRAK District- Saran

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... .. Petitioner/s

Versus

... .. Opposite Party/s

For the Petitioner/s : Mr.Kanchan Kumari
For the Opposite Party/s : Mr.Upendra Kumar

For the Opposite Party/s : Mr.Upendra Kumar

ORAL ORDER

2. The petitioner seeks bail in connection with P.S. Case No.103 of 2017 registered for the offence sections 30, 30(a), 38 and 41 of the Bihar Prohibition and

4. Learned counsel appearing on behalf of the _____ has submitted that petitioner has falsely been _____d in the present case and petitioner was not arrest on _____, only Adhar card of the petitioner was found in the _____



cabin of the said truck. 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 truck and he 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 a man of clean antecedent and he is in custody since 30.01.2024.

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 Masarakh P.S. Case No.103 of 2017 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise Court No.2, Chhapra.

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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