

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12720 of 2024

Arising Out of PS. Case No.-791 Year-2023 Thana- BODHGAYA District- Gaya

Manoj Yadav S/O DEGAN YADAV R/O VILLAGE- KAHUDAG, P.S.-
BARACHATTI, DISTRICT- GAYA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sudhir Kumar Sinha

For the Opposite Party/s : Mr.Pramod Kumar Pandey

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

ORAL ORDER

- 2 27-02-2024 Heard learned counsel appearing on behalf of the parties.
2. The petitioner seeks bail in connection with Bodh Gaya
P.S. Case No. 791 of 2023, registered for the offence under Section
30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.
3. As per FIR, there is recovery of 71.71 litres of foreign
liquor from the tempo bearing Registration No.BR-02PB-5666.
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. It is further
submitted that the petitioner is not the owner of the tempoo and he is
only a driver. 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 11.10.2023.



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 Bodh Gaya P.S. Case No. 791 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 Exclusive Special Excise Court No.01, Gaya.

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)

sanjeev/-

U		T	
---	--	---	--

