

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13705 of 2024

Arising Out of PS. Case No.-322 Year-2023 Thana- KOCHADHAMAN District- Kishanganj

1. RAM BABU YADAV S/O RAJ KUMAR YADAV R/O VILLAGE-BARITHA WARD NO.-10, P.S- ROSERA, DISTT.- SAMASTIPUR.
2. CHANDRA PRAKASH YADAV S/O GANGA PRASAD YADAV R/O VILLAGE- BARITHA WARD NO.-10, P.S- ROSERA, DISTT.- SAMASTIPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Singh, Adv.
For the Opposite Party/s : Mrs.Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 28-02-2024 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners are in custody in connection with Kochadhaman P.S Case No. 322 of 2023 registered for the offences punishable under Sections 30(a), 32, 41 & 47 of Bihar Prohibition and Excise Act.

3. As per prosecution case, total quantity of 821.250 litres of illicit liquors of various description was recovered from a Bolero pickup van bearing Registration No. BR06GF-3814.

4. Learned counsel for the petitioners submits that petitioners have falsely been implicated in this case. It is further submitted that no incriminating article has been recovered from



the conscious possession of the petitioners. The petitioners are not the owner of the said vehicle. Learned counsel for the petitioner next submits that the petitioners have no criminal antecedents. The petitioner are in custody since 29.12.2023.

5. However, learned APP for the State opposed the prayer for regular bail of the petitioners.

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 Additional Sessions Judge-II-cum-Special Judge (Excise-1), Kishanganj in connection with Kochadhaman P.S Case No. 322 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 petitioners 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)

perwez

U			
---	--	--	--

