

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12625 of 2024

Arising Out of PS. Case No.-3 Year-2024 Thana- Excise P.S. District- Bhojpur

1. Sushil Paswan Son of Bal Paswan Resident of Andhari, P.S.- Chouri, District- Bhojpur at Ara
2. Sanjay Chaudhary Son of Sri Lalchand Chaudhary Resident of Andhari, P.S.- Chouri, District- Bhojpur at Ara

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bela Singh

For the Opposite Party/s : Mr.Shailendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

- 2 27-02-2024 Heard learned counsel appearing on behalf of the parties.
2. The petitioners seek bail in connection with Excise (Piro) P.S. Case No. 03 of 2024, registered for the offence under Section 30(a) of the Bihar Prohibition and Excise Act.
3. As per FIR, there is recovery of 40 litres of chulai liquor from the possession of the petitioner.
4. Learned counsel appearing on behalf of the petitioners 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 submitted that seizure list appears doubtful being not supported by independent witnesses, rather by police personnels. It is further submitted that petitioners are man of clean antecedent and he is in custody since 10.01.2024.



5. Learned APP appearing for the State, opposes the prayer for bail of the petitioners.

6. Considering the facts and circumstances and submissions made on behalf of the petitioners, let the petitioners, above named, are directed to be released on bail, ***after framing of the charge***, in connection with Excise (Piro) P.S. Case No. 03 of 2024, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge Excise, Excise Court No.-II, Bhojpur at Ara.

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 petitioners 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	
---	--	---	--

