

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.11717 of 2024**

Arising Out of PS. Case No.-412 Year-2023 Thana- MIRGANJ District- Gopalganj

Sonu Singh S/O VINOD SINGH R/O VILLAGE- PACHLAKHI, P.S.-  
NAUTAN, DISTRICT- SIWAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Udit Singh

For the Opposite Party/s : Mr.Meena Singh

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

ORAL ORDER

2      23-02-2024                      Heard learned counsel appearing on behalf  
of the parties.

2.              The petitioner seeks bail in connection with  
Mirganj P.S. Case No.412 of 2023 registered for the offence  
under Sections 414/34 of the Indian Penal Code and Section  
30(a) of the Bihar Prohibition and Excise Act.

3.              As per FIR, there is recovery of 284.40 litre  
of illicit liquor from two motorcycles standing in the bush at the  
road side.

4.              Learned counsel appearing on behalf of the  
petitioner has submitted that petitioner has falsely been  
implicated in the present case, where, petitioner was not arrest at  
spot and he was arrest from his house after two months from the



date of occurrence. 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 motorcycles standing in a bush at open place. It is further submitted that the petitioner has no concern with the alleged recovery of illicit liquor as well as vehicles 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 03.01.2024.

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 Mirganj P.S. Case No.412 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 4<sup>th</sup> Additional Sessions Judge-cum-Exclusive Special Excise Court No.II, Gopalganj.

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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