

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.13808 of 2024**

Arising Out of PS. Case No.-374 Year-2023 Thana- SONO District- Jamui

Sakaldeo Sah Son of Baleshwar Sah R/o Village- Sarkanda, P.S.-  
Charkapaththar, District- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Dipak Kumar, Adv.

For the Opposite Party/s : Mr.Arun Kumar, APP

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

ORAL ORDER

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

2. The petitioner is in custody in connection with  
Sono P.S Case No. 374 of 2023 registered for the offences  
punishable under Sections 30(a) of Bihar Prohibition and Excise  
(Amendment) Act, 2018.

3. As per prosecution case, total quantity of 100  
litres of illicit foreign wine was recovered from two motorcycle  
riders.

4. Learned counsel for the petitioner submits that  
petitioner has falsely been implicated in this case. It is further  
submitted that no incriminating article has been recovered from  
the conscious possession of the petitioner nor he was arrested on  
the spot. Leaned counsel for the petitioner next submits that the



name of the petitioner got surfaced in the present case on the confessional statement of one co-accused, namely, Anshu Kumar. On perusal of seizure list, it appears that there is no independent witness. The petitioner is in custody since 15.05.2023.

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

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 Exclusive Special Judge, Excise II, Jamui in connection with Sono P.S Case No. 374 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 petitioner 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 |  | T |  |
|---|--|---|--|

