

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16086 of 2024

Arising Out of PS. Case No.-8 Year-2024 Thana- Excise P.S. District- Aurangabad

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1. Rahul Kumar Son Of Late Ashok Rai Resident Of Ramjeechak Digha Bata,
P.S. - Digha, District - Patna
 2. Rakesh Gope Son Of Pradeep Gope Resident Of Bardhman Compound
Koyala Vihar, Ward No.4, P.S. - Lalpur, District - Ranchi

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sudhir Kumar Sinha, Adv

For the Opposite Party/s : Mr.Arvind Kumar Pandey (App.84)

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

ORAL ORDER

2 06-03-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in connection with Excise
P.S.Case No. 08 of 2024 instituted for the offences punishable
under Section 30(a), 32(1), 32(3), 41(1) and 41 (2) of Bihar
Prohibition & Excise Amendment Act.

3. As per the prosecution case, total 324 liters of
liquor was recovered from the Scorpio bearing Reg. No.
JH01CE-1344.

4. Learned counsel for the petitioners submits that the
petitioners are innocent and have falsely been implicated in this



case. The petitioner no. 1 is driver and petitioner no. 2 is passenger of the vehicle. No incriminating material has been recovered from the conscious possession of the petitioner and no independent witness of the seizure list. The petitioners are in custody since 06.01.2024 have got no criminal antecedent stated in para-3 of the bail petition

5. Learned APP opposes the prayer for bail

6. Considering the facts and circumstances of the case and submissions made on behalf of the petitioners, let the petitioners above named, is directed to be released on bail after framing of the charge be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Court Excise-II Aurangabad/ concerned court in connection with Excise P.S.Case No. 08 of 2024.

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 conditions 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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