

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14673 of 2024

Arising Out of PS. Case No.-115 Year-2023 Thana- SAKATPUR District- Darbhanga

1. Vishnu Sadai Son of Late Lala Sadai R/o Village- Lagma, P.S.- Sakatpur, District- Darbhanga
2. Lala Sadai Son of Late Bachcha Sadai R/o Village- Lagma, P.S.- Sakatpur, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinay Kumar Mishra, Adv.

For the Opposite Party/s : Mr.Akshay Lal Pandit, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 29-02-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioners are in custody in connection with Sakatpur P.S Case No. 115 of 2023 registered for the offences punishable under Sections 30(a) of Bihar Prohibition and Excise Act 2018.

3. As per prosecution case, total 25.5 litre illicit liquor was recovered from the courtyard.

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



been recovered from the conscious possession of the petitioners. Petitioners have got no criminal antecedent as stated in para 3 of the petition. It is also submitted that petitioners are in judicial custody since 18.12.2023.

5. However, learned APP for the State oppose 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 petitioners, let the above named petitioners be released on bail *after framing of the charge* on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge-II (Excise Act), Darbhanga in connection with Sakatpur P.S Case No. 115 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 they 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)

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