

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14339 of 2024**

Arising Out of PS. Case No.-63 Year-2023 Thana- KAJRA District- Lakhisarai

=====

Pawan Koda, Male, aged about 43 years, Son of Narayan Koda, Resident of
Village - Sri Kishun Korasi, P.S. - Kajra, District – Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Narsingh Tanti, Advocate

For the Opposite Party/s : Mr. Nand Kumar, 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 petitioner seeks bail in connection with Kajra
PS Case No. 63 of 2023 instituted for the offences punishable
under Section 30(a) of the Bihar Prohibition and Excise
Amendment Act, 2022.

3. As per the prosecution case, total 30 liters of illegal
country-made liquor, about 1000 liters, fermented liquid and
manufacturing apparatus for manufacturing liquor were
recovered from the house of the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence and has



falsely been implicated in this case due to dirty village politics.

Petitioner was not arrested at the spot.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR, seizure list and impugned order of the learned Additional Sessions Judge-V-cum-Exclusive Special Court-2, Excise Act, Lakhisarai dated 18.08.2023, it appears that petitioner is named in the FIR and no independent witnesses have supported the case of the prosecution. There is no any independent witness in the seizure list. Petitioner is in custody since 15.07.2023, accordingly the prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail ***after framing of charge*** on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.D.J.-Vth-cum-Exclusive Special Court No. 2, Excise Act, Lakhisarai in connection with Kajra PS Case No. 63 of 2023.

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 petitioner shall be released on bail on 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)

Anand Kr.

U		T	
---	--	---	--

