

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13670 of 2024

Arising Out of PS. Case No.-154 Year-2023 Thana- BASOPATTI District- Madhubani

Umesh Ram son of Sukhdev Ram, R/O Village-Mehtar Patti, PS-Basopatti,
Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Upendra 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
Basopatti P.S Case No. 154 of 2023 registered for the offences
punishable under Sections 272, 273/34 of the IPC and Section
30(a) of Bihar Prohibition and Excise Act, 2016.

3. As per prosecution case, total quantity of 225
litres of illicit liquor was recovered from three motorcycles
having registration nos. BR32F 2318, BR32M 8444 and
BRO6K 6717.

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. Leaned counsel for the petitioner next submits that the said motorcycle wherefrom recovery has been made does not belong to the petitioner. In para-3 of the present petition, it has been stated that the petitioner has no criminal antecedent. The petitioner is in custody since 08.07.2023.

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 Additional Sessions Judge-II-cum-Special Judge, Excise Act, Madhubani in connection with Basopatti P.S Case No. 154 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)

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