

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13257 of 2024

Arising Out of PS. Case No.-2047 Year-2023 Thana- Excise P.S. District- Gaya

Ajit Kumar Saxena Son of Ramji Prasad Chaudhary R/o Village- Upthu, P.S.-
Atri, Dist.- Gaya

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Diwakar .

For the Opposite Party/s : Mr.Umesh Lal Verma

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

ORAL ORDER

2 27-02-2024 Heard learned counsel appearing on behalf of the
parties.

2. The petitioner seeks bail in connection with Excise
P.S. Case No. 2047 of 2023, registered for the offence under
30(a) of the Bihar Prohibition and Excise Act, 2022.

3. As per FIR, there is recovery of 108 litres of illicit
foreign liquor from the diceky of car bearing Registration
No.DL8CR-3077. The petitioner is said to be driver of the said
car.

4. Learned counsel appearing on behalf of the
petitioner has submitted that petitioner has falsely been
implicated in the present case. It is submitted that recovery of
alleged illicit liquor was not made from physical possession of



the petitioner. It is submitted that seizure list appears doubtful being not supported by independent witnesses, rather by police personnels. It is further submitted that petitioner is a man of clean antecedent as stated in para 3 of the bail petition and he is in custody since 28.11.2023.

5. Learned APP appearing for the State, opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances and submissions made on behalf of the petitioner, let the petitioner, above named, is directed to be released on bail, ***after framing of the charge***, in connection with Excise P.S. Case No. 2047 of 2023, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise No.03, Gaya/concerned Court.

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 condition 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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