

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.13982 of 2024**

Arising Out of PS. Case No.-10 Year-2024 Thana- MAIRWAN District- Siwan

Raj Nath Gond son of Ramesh Gond Village- Kushahari Ps- Bariyarpur Dist-  
Deoria U.P

... .. Petitioner/s

Versus

## The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Vijay Bardhan Pandey

For the Opposite Party/s : **Mr. Sucheta Yadav**

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

## ORAL ORDER

2      28-02-2024      Heard learned counsel appearing on behalf  
of the parties.

2. The petitioner seeks bail in connection with Mairwa P.S. Case No.10 of 2024 registered for the offence under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per FIR, there is recovery of 760.320 litre of illicit liquor from possession of this petitioner.

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 conscious physical



possession of the petitioner rather the same was recovered from a pickup van and the present petitioner is driver of the said vehicle and he has no knowledge about the illegal consignment of illicit liquor. 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 and he is in custody since 15.01.2024.

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 Mairwa P.S. Case No.10 of 2024 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge No.1, Siwan.

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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