

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16383 of 2024

Arising Out of PS. Case No.-30 Year-2024 Thana- Excise P.S. District- Jamui

Chhotanki Yadav @ Chhatanki Yadav Son of Late Rajendra Yadav Resident
of Village- Bela Tanr, P.S.- Laxmipur, District- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimal Kumar

For the Opposite Party/s : Mr.Damodar Prasad Tiwary

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

ORAL ORDER

2 11-03-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner is in custody in connection
with Jamui Prohibition P.S Case No. JAM 30 of 2024
(JAM P.S Case No. 30 of 2024) registered for the
offences punishable under Sections 30(a) of Bihar
Prohibition and Excise Act.

3. As per prosecution case, total 79.470 litre
illicit liquor was recovered from the truck.

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. Petitioner has got no criminal antecedent as stated in para 3 of the bail petition. It is also submitted that petitioner is in judicial custody since 10.01.2024

5. However, learned APP for the State oppose 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 Exclusive Special Judge Excise-II, Jamui in connection with Jamui Prohibition P.S Case No. JAM 30 of 2024 (JAM P.S Case No. 30 of 2024).

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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