

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17611 of 2024

Arising Out of PS. Case No.-34 Year-2024 Thana- Excise P.S. District- Kaimur (Bhabua)

Anup Kumar Son of Uma Choudhary @ Umashankar Chaudhary Resident of
Village- Khaira, P.S.- Kochas, District-Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar, Advocate

For the Opposite Party/s : Mr.Pramod Kumar Pandey, APP

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

ORAL ORDER

2 12-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Prohibition and Excise P.S. Case No. 34 of 2024 instituted for the offences punishable under Sections 30(a) and 32(3) of Bihar Prohibition and Excise (Amendment) Act.

3. As per the prosecution case, petitioner was apprehended on the spot and from a Swift car bearing registration no. WB06B-2978, total 153 liters of illicit liquor was recovered.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. He has falsely been implicated in this case. He has no concern with the



alleged recovery. Nothing incriminating article has been recovered from his conscious possession. As submitted by learned counsel for the petitioner that petitioner has no concern with the said car, he was only standing at that place. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. Petitioner is languishing in judicial custody since 13.01.2024.

5. Learned APP for the State has vehemently opposed the prayer for bail.

6. Considering the facts and circumstances of the case and submissions made on behalf of the petitioner as well as period of custody of the petitioner, let the above named petitioner 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 Exclusive Special Judge (Excise)-II, Kaimur at Bhabua in connection with Prohibition and Excise P.S. Case No. 34 of 2024.

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)

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