

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13706 of 2024

Arising Out of PS. Case No.-147 Year-2023 Thana- PIRI BAZAR District- Lakhisarai

Rajesh Singh @ Rajesh Kumar @ Rajesh Kumar Singh S/o Mithlesh Singh
R/o Village- Masudan, P.S.- Piribazar, District- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar

For the Opposite Party/s : Mr.Anil Prasad Singh

**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 Piribazar P.S Case No. 147 of 2023 registered for the offences punishable under Sections 30(a) of Bihar Prohibition and Excise Act, 2022.

3. As per prosecution case, total 40 litres of illicit country made mahua was recovered from the place of occurrence, namely, Nimia Musahri.

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 nor he was arrested on the spot. Leaned counsel for the petitioner next submits that from perusal of the seizure list it appears that there was no any independent witness. The petitioner is in custody since 04.01.2024.



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-IV-cum-Special Judge Court-1, Lakhisarai in connection with Piribazar P.S Case No. 147 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)

perwez/-

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