

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14323 of 2024

Arising Out of PS. Case No.-245 Year-2023 Thana- KHAJAULI District- Madhubani

Santosh Kumar Ray, aged about 30 years, Male Son of Badri Ray @
Badrinath Ray, Resident of Village - Mahua Ekdara, P.S. - Khajauli, District –
Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Gagan Deo Yadav, Advocate Mr. Ravi Prakash, Advocate Mr. Vinod Kumar, Advocate
For the Opposite Party/s	:	Ms. Meena Singh, APP

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

ORAL ORDER

2 29-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Khajauli PS Case No. 245 of 2023 instituted for the offences
punishable under Sections 272, 273 of the Indian Penal Code
and Section 30 (a) of the Bihar Prohibition and Excise Act,
2022.

3. As per the prosecution case, total 64.8 liters of
illicit liquor has been recovered from the mango orchad.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence and has
falsely been implicated in this case. Petitioner has got no any



criminal antecedent. Nothing incriminating articles have been recovered from the conscious possession of the petitioner.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR, seizure list and impugned order of the learned Additional Sessions Judge-II-cum- Special Judge Excise Act, Madhubani dated 30.01.2024, it appears that nothing incriminating article has been recovered from the possession of the petitioner. Petitioner is in custody since 29.12.2023, accordingly the prayer for bail of the petitioner is allowed. Let the petitioner above named 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 Additional Sessions Judge-II-cum-Special Judge, Excise Act, Madhubani in connection with Khajauli PS Case No. 245 of 2023.

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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