

Arising Out of PS. Case No.-329 Year-2023 Thana- NASRIGANJ District- Rohtas

... .. Petitioner/s

Versus

... .. Opposite Party/s

For the Petitioner/s : Mr.Raghunandan Kumar Singh
For the Opposite Party/s : Mr.Nitya Nand Tiwary

ORAL ORDER

2. The petitioner seeks bail in connection with
uj P.S. Case No.329 of 2023 registered for the offence
ction 30(a) of the Bihar Prohibition and Excise Act.

3. As per FIR, there is recovery of total 1407.24 litre of illicit liquor from a truck bearing registration no. BR24GC 6780.

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 truck and petitioner is driver of the said truck, where, he has not knowledge about the consignment of illicit liquor. It is further submitted that the petitioner has no concern with the alleged recovery of illicit liquor. It is submitted that seizure list appears doubtful being not supported by independent witnesses, rather by police personnels. It is also submitted that similarly situated co-accused persons have already been granted bail by one of the learned co-ordinate Bench of this Court through Cr. Misc. No. 10312 of 2024 on 21.02.2024 and Cr. Misc. No.9960 of 2024 on 20.02.2024. It is further submitted that petitioner is a man of clean antecedent and he is in custody since 28.11.2023.

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 Nasariganj P.S. Case No.329 of 2023 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 Court No.2-cum-Additional District and Sessions Judge, Rohtas at Sasaram.

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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