

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13553 of 2024

Arising Out of PS. Case No.-1 Year-2024 Thana- SUGAULI District- East Champaran

Ram Prakash Kumar Son of Vijay Sahani Resident of Village- Mehwa, P.S.-
Sugauli, District- East Champaran, Motihari. Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar, Adv.
For the Opposite Party/s : Mr.Shyam Bihari Singh, APP

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
Sugauli P.S Case No. 1 of 2024 registered for the offences
punishable under Sections 272, 273 of the IPC and Section
30(a) of Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per prosecution case, total 31 litres of illicit
country made liquor was recovered from the possession of co-
accused, Jaiprakash and the petitioner who were riding a
motorcycle bearing Registration No. BR-05Z-9248.

4. Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case. 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 01.01.2024.



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 Exclusive Special Excise Judge-I, Civil Court-East Champaran, Motihari in connection with Sugauli P.S Case No. 1 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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