

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15391 of 2024

Arising Out of PS. Case No.-710 Year-2023 Thana- Excise P.S. District- Bhojpur

Birbal Yadav Son of Late Jhulan Yadav @ Bhulan Yadav Resident of Village-
Pachaina, Patakhawalia, P.S. Koilwar, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Singh

For the Opposite Party/s : Mr.Pradeep Narain Kumar

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA

ORAL ORDER

2 05-03-2024 Heard learned counsel appearing on behalf
of the parties.

2. The petitioner seeks bail in connection with
Ara Nagar P.S. Case No.710 of 2023 registered for the offence
under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per FIR, there is recovery of 120 litre of
illicit liquor from possession of this petitioner.

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 and he 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 further submitted that petitioner is a man of clean antecedent and he is in custody since 27.12.2023.

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 Ara Nagar P.S. Case No.710 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 2nd, Bhojpur at Ara.

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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