

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.14634 of 2024**

Arising Out of PS. Case No.-729 Year-2023 Thana- KAUWAKOL District- Nawada

Rajballam Kumar, aged about 20 years, Male son of Rambiresb Yadav  
Resident Of Village- Badraji P.S.- Kawakole District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Sheo Kumar Prasad, Advocate

For the Opposite Party/s : Mr. Parmanand Kumar, 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 Mahua  
Kawakole PS Case No. 729 of 2023 instituted for the offences  
punishable under Section 30(a) of the Bihar Prohibition and the  
Excise Act.

3. As per the prosecution case, 100 liters country  
made liquor and 15.375 liters foreign liquor has been recovered  
from the accused persons.

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. He further submits that the



petitioner was arrested at the spot. Nothing has been recovered from conscious possession of the petitioner. Petitioner has got no criminal antecedent.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR, seizure list and impugned order of the learned Exclusive Special Excise Court-2, Nawada dated 18.01.2024, it appears that the alleged recovery is not from the possession of the petitioner. Petitioner is in custody since 25.12.2023, 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 Exclusive Special Excise Court-2 Nawada in connection with Kawakole PS Case No. 729 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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