

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18021 of 2024

Arising Out of PS. Case No.-4 Year-2024 Thana- KALUAHI District- Madhubani

Hari Mandal S/o Late Bilat Mandal R/o vill - Laxmipur, Nadhiya Tol, P.s. -
Kaluahi, Distt. - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md Soban Asghar, Advocate

For the Opposite Party/s : Mr.Syed Ehteshamuddin, APP

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

ORAL ORDER

2 12-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Kaluahi
P.S. Case No.04 of 2024 instituted for the offences punishable
under Sections 272 and 273 of the Indian Penal Code and Section
30(a) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 81 liters of Nepali
Saufi liquor has been recovered from the back side of the house of
the petitioner.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He has
falsely been implicated in this case due to local party politics. He
has no concern with the alleged recovery. Nothing incriminating
article has been recovered from the conscious possession of the
petitioner rather recovery of liquor has been made from back side



of his house which is an open place. Petitioner is languishing in judicial custody since 08.01.2024.

5. Learned APP for the State has vehemently opposed the prayer for bail.

6. Considering the facts and circumstances of the case and submissions made on behalf of the petitioner as well as period of custody of the petitioner, let the above named petitioner 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 Kaluahi P.S. Case No. 04 of 2024.

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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