

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15268 of 2024

Arising Out of PS. Case No.-1406 Year-2023 Thana- KHAJANCHI HAT District- Purnia

1. Chandan Kumar S/o- Surendra Das Resident of mohalla- Panchvati Colony ward No 26, P.S. K hat Shahayak Dist- Purnea
2. KUNDAN KUMAR SON OF SURENDRA DAS Resident of mohalla- Panchvati Colony ward No 26, P.S. K hat Shahayak Dist- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nadimul Hasan
For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

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

2. The petitioners seek bail in connection with K. Hat (Sahayak) P.S. Case No.1406 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 total 55.095 litre of illicit liquor from semi constructed 1st floor of house of the petitioner.

4. Learned counsel appearing on behalf of the petitioners has submitted that petitioners have falsely been implicated in the present case. It is submitted that recovery of



alleged illicit liquor was not made from conscious physical possession of these petitioners rather the same was recovered from semi constructed house of the petitioners, presently, which is not residential house they have no concern with the alleged recovery of illicit liquor. It is further submitted that petitioners are men of clean antecedent and he is in custody since 25.12.2023.

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 petitioners, let both the petitioners, above named, are directed to be released on bail, ***after framing of the charge***, in connection with K. Hat (Sahayak) P.S. Case No.1406 of 2023 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge (Excise -1), Purnea.

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 petitioners shall



be released on bail on furnishing bail bond with further condition that the petitioners 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)

S.Katyayan/-

U		T	
---	--	---	--

