

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.15396 of 2024**

Arising Out of PS. Case No.-512 Year-2023 Thana- CHHATAUNI District- East Champaran

MUNNA SAH SON OF GOPAL SAH R/O-BANGALI COLONY GALI NO.  
4, P.S.-CHHATAUNI, DITT.-EAST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Rashmi Jha

For the Opposite Party/s : Mr.Parmanand Prasad

**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  
Chhatauni P.S. Case No.512 of 2023 registered for the offence  
under Sections 414 of the Indian Penal Code and Section 30(a)  
of the Bihar Prohibition and Excise Act.

3.      As per FIR, there is recovery of total 26.580  
litre of illicit liquor from the house of Gita Devi and a Scooty.

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 rather the same was recovered from



house of other co-accused person, namely, Geeta Devi. It is further submitted that the petitioner has no concern with the alleged recovery of illicit liquor as well as vehicle in question. It is submitted that seizure list appears doubtful being not supported by independent witnesses, rather by police personnels. It is also submitted that similarly situated co-accused person has already been granted bail by one of the learned co-ordinate Bench of this Court through Cr. Misc. No. 86699 of 2023 on 12.01.2024. It is further submitted that petitioner is in custody since 18.01.2024.

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 Chhatauni P.S. Case No.512 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 No.1, East Champaran, Motihari.

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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