

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15441 of 2024

Arising Out of PS. Case No.-264 Year-2023 Thana- SAKRI District- Madhubani

Hazari Raut S/o Late Baua Raut R/o Bhawanipur, P.S. - Sakri, Dist. -
Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Tiwary, Adv.

For the Opposite Party/s : Mr.Braj Kishore Pd., APP

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

ORAL ORDER

2 05-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with G.R.
No. 1833 of 2023 arising out of Sakri P.S. Case No. 264 of
2023 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 90 liters of Nepali
liquor has been recovered from bush behind 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. He has no concern with the



alleged recovery of liquor or with the place of recovery. No any incriminating article has been recovered from his conscious possession. Recovery of illicit liquor has been made from an open place. Petitioner is languishing in judicial custody since 21.12.2023.

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

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties as well as period of custody of the petitioner, this Court is inclined to enlarge the petitioner on bail, 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 Additional Sessions Judge-II-cum-Special Judge, Excise Act, Madhubani in connection with G.R. No. 1833 of 2023 arising out of Sakri P.S. Case No.264 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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