

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20517 of 2024

Arising Out of PS. Case No.-207 Year-2022 Thana- DHANAHA District- West Champaran

Manjit Malik @ Manjeet Mallik @ Sonu S/o Rajpal Malik @ Rajpal Singh
R/o Patel Nagar, ward no. 21, Gali No. 04, P.S. - Civil Lines (Sonipath), Distt.
- Sonipath (Harayana)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey, Advocate

For the Opposite Party/s : Mr.Awadhesh Kumar Singh, APP

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

ORAL ORDER

2 18-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Dhanaha P.S. Case No.207 of 2022 instituted for the offences
punishable under Section 414 of the Indian Penal Code and
Section 30(a) of Bihar Prohibition and Excise (Amendment)
Act.

3. As per the prosecution case, total 267 liters of illicit
liquor has been recovered from a car bearing registration no.
BR10T8470.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. Being the
owner of alleged vehicle he has falsely been implicated in this



case. He has no concern with the alleged recovered liquor. Neither the petitioner was arrested on the spot nor any incriminating article has been recovered from his conscious possession. Both the seizure list witnesses are police personnel which is complete violation of Section 100 of Cr.P.C. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. He is languishing in judicial custody since 28.12.2023.

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

6. Considering the facts and circumstances of the case and submissions 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 Special Judge, Excise, Bagaha, West Champaran in connection with Dhanaha P.S. Case No.207 of 2022.

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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