

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23084 of 2024

Arising Out of PS. Case No.-285 Year-2023 Thana- KURSAKANTA District- Araria

MD. AAZAM @ MD. AZAM S/O- KALAM UDDIN R/O- VILLAGE-
KURSAKANTA, WARD NO.- 5, P.S.- KURSAKANTA, DIST.- ARARIA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gopal Kumar Jha, Advocate

For the Opposite Party/s : Mr.Md. Anzarul Haque Sahara, APP

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

ORAL ORDER

2 21-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Kursakanta P.S. Case No. 285 of 2023 instituted for the offences
punishable under Section 30(a) of Bihar Prohibition and Excise
Act.

3. As per the prosecution case, total 110 liters of illicit
liquor has been recovered from one Alto Car.

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 recovered liquor. As submitted by learned counsel for
the petitioner that petitioner has no any concern with the seized



vehicle. Nothing incriminating article has been recovered from his conscious possession. Petitioner is languishing in judicial custody since 17.12.2023.

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 Exclusive Special Excise Court-2, Araria in connection with Kursakanta P.S. Case No. 285 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 furnishing bail bond with further condition that one of the bailors must be close relative of the petitioner and the petitioner have to present physically on each and every date before the Trial Court till conclusion of trial and if



the petitioner would absent for two consecutive dates without any cogent reason, the bail bonds of the petitioner shall be cancelled by the learned trial court itself.

(Ramesh Chand Malviya, J)

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