

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16932 of 2024

Arising Out of PS. Case No.-587 Year-2023 Thana- KUCHAIKOTE District- Gopalganj

Rambabu Kumar Gupta S/o Chanu Sah R/o vill - Sahuli, P.s. - Hussainganj,
Distt. - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Manibhushan Kumar Singh, Advocate
		Mr. Binod Kumar Sinha, Advocate
For the Opposite Party/s	:	Mr. Ajay Kumar Jha, APP

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

ORAL ORDER

2 11-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Kuchaikote P.S. Case No.587 of 2023 instituted for the offences punishable under Section 30(a) of Bihar Prohibition and Excise Amendment Act.

3. As per the prosecution case, petitioner along with co-accused Mithilesh Tiwari apprehended on the spot and from the car and motorcycle total 180 liters of country made liquor was recovered.

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 vehicles in question. As submitted by learned counsel for the petitioner that owner of the said car is Mithilesh Tiwari and petitioner is servant of Mithilesh Tiwari. No any incriminating article has been recovered from his conscious possession. Petitioner is languishing in judicial custody since 02.12.2023.

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-IV-cum-Exclusive Special Excise Court-II, Gopalganj in connection with Kuchaikote P.S. Case No.587 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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