

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17278 of 2024

Arising Out of PS. Case No.-13 Year-2023 Thana- BIBIGANJ District- Kishanganj

Jitendra Sahni Son Of Yogendra Sahni @ Yogendra Mukhiya Resident Of
Village- Chichora, Ps- Bibiganj, Dist- Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amal Kumar Sinha, Advocate

For the Opposite Party/s : Mr.Mithlesh Kumar Khare, APP

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

ORAL ORDER

2 12-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Bibiganj
P.S. Case No. 13 of 2023 instituted for the offences punishable
under Section 30(a) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 144 liters of Nepali
liquor has been recovered from the motorcycle bearing registration
no. BR37M5298.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. Being
owner of the said motorcycle 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. A statement has
been made in para 3 of the petition that petitioner has no criminal



antecedent. He is languishing in judicial custody since 05.01.2024.

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 Additional District Judge-II-cum-Special Judge (Excise-I), Kishanganj in connection with Bibiganj P.S. Case No.13 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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