

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20435 of 2024

Arising Out of PS. Case No.-52 Year-2023 Thana- BHELDI District- Saran

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Guddu Ray @ Guddu Kumar @ Guddu Kumar Rai S/o Rampravesh Ray @
Rampravesh Rai R/o Vill - Derni Pirari, P.S. - Derni, Dist. - Saran (Chapra)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Hemant Kumar, Advocate

For the Opposite Party/s : Mr.Rajendra Prasad Nat, APP

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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
Bheldi P.S. Case No. 52 of 2023 instituted for the offences
punishable under Sections 420 and 120(B) of the Indian Penal
Code and Sections 30(a), 32, 36 and 41 of Bihar Prohibition
and Excise Act.

3. As per the prosecution case, total 2278.44 liters of
illicit liquor has been recovered from three different vehicles.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He has
falsely been implicated in this case. Petitioner is not named in
the F.I.R. rather his name transpired in this case due to owner



of one of the seized vehicle Bolero Pickup bearing Regd. No. BR04GB0804. He is not present at the place of occurrence because he is at that time in judicial custody. He has no concern with the alleged recovered liquor. Petitioner is remanded in this case on 21.02.2023 and since then he is languishing in judicial custody.

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 A.D.J.-II-cum-1st Exclusive Special Judge, Excise, Saran (Chapra) in connection with Bheldi P.S. Case No.52 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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