

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.19035 of 2024**

Arising Out of PS. Case No.-48 Year-2019 Thana- CHANAN District- Lakhisarai

Shyamdev Mandal S/o Baudhu Mandal R/o Vill - Ramsir, P.S. - Kiul, Dist. -  
Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Narsingh Tanti

For the Opposite Party/s : Mr.Arvind Kumar Pandey(App84)

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

ORAL ORDER

2      14-03-2024                      Heard learned counsel appearing on behalf  
of the parties.

2.              The petitioner seeks bail in connection with  
Chanan P.S. Case No.48 of 2019 registered for the offence under  
Sections 272 and 273 of the Indian Penal Code and Section  
30(a) and 38(i) of the Bihar Prohibition and Excise Act.

3.              As per FIR, there is recovery of total 40 litre  
of illicit liquor from a motorcycle bearing registration no.  
PB08BR5229.

4.              Learned counsel appearing on behalf of the  
petitioner has submitted that petitioner has falsely been  
implicated in the present case, where, petitioner is not named in  
the FIR. It is submitted that recovery of alleged illicit liquor was



not made from conscious physical possession of the petitioner rather the same was recovered from a motorcycle and he has no concern with the alleged recovery of illicit liquor as well as vehicle in question. It is also submitted that only one mobile bearing Mobile No.7294042456 recovered from the possession of the petitioner at the place of occurrence, where, the mobile was lost and same was used by the son of the petitioner. It is submitted that seizure list appears doubtful being not supported by independent witnesses, rather by police personnels. It is further submitted that petitioner is in custody since 30.12.2023.

5. Learned APP appearing for the State, opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances and submissions made on behalf of the petitioner, let the petitioner, above named, is directed to be released on bail, ***after framing of the charge***, in connection with Chanan P.S. Case No.48 of 2019 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J.Ivth-cum-Special Excise Court No.1, Lakhisarai.

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 above named petitioner shall be released on bail on furnishing bail bond with further condition that the petitioner have to 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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