

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20853 of 2024

Arising Out of PS. Case No.-1214 Year-2023 Thana- SHASTRINAGAR District- Patna

Saurab Kumar @ Saurabh Kumar Son Of Ramesh Sharma R/O- Nisarpura Ps-
Bikram Dist- Patna, A/P- Sharma Lodge Punaichak Ps- Shastrinagar Dist- Patna
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Jiban Pd. Singh, Advocate

For the Opposite Party/s : Mr.Sucheta Yadav, APP

**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
Shastrinagar P.S. Case No. 1214 of 2023 instituted for the offences
punishable under Section 30(a) of Bihar Prohibition and Excise
Act.

3. As per the prosecution case, total 110.25 liters of
illicit liquor has been recovered from the possession of the
petitioner in rented house.

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. Both the seizure list witnesses are police
personnel which is complete violation of Section 100 of Cr.P.C. A
statement has been made in para 3 of the petition that petitioner



has no criminal antecedent. He is languishing in judicial custody since 24.12.2023.

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 Judge 2nd , Patna in connection with Shastrinagar P.S. Case No. 1214 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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