

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16966 of 2024

Arising Out of PS. Case No.-62 Year-2024 Thana- AGAMKUAN District- Patna

-
1. Raj Manish Kumar @ Raj Manish son of Ravindra Yadav Village- Puna Ps- Hilsa Dist- Nalanda
 2. Rishu Kumar son of Munna Singh Village- Dhelma Ps- Ramkrishna Nagar Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjay Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

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

2. The petitioners seek bail in connection with Agamkuan P.S. Case No. 62 of 2024 instituted for the offences punishable under Sections 30(a), 32(2), 32(3), 36 and 41(1) and 41(2) of Bihar Prohibition and Excise Act and Section 414 of the I.P.C.

3. As per the F.I.R. and seizure list, total 16.5 liters of foreign liquor has been recovered from the car bearing registration no. DL3CCD2096 in which petitioners were sitting and the car was driven by co-accused Mithilesh Kumar.

4. Learned counsel for the petitioners submits that



petitioners are innocent and have committed no offence. They have falsely been implicated in this case. They have no any concern with the co-accused Mithilesh Kumar or alleged recovered illegal liquor or car. They were just sitting in the car as passengers. Nothing incriminating article has been recovered from their conscious possession. Both the seizure list witnesses are police personnel which is complete violation of Section 100 of Cr.P.C. Petitioner have got no criminal antecedent and they are languishing in judicial custody since 17.01.2024.

5. Learned APP for the State has vehemently opposed the prayer for bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties as well as period of custody of the petitioners, this Court is inclined to enlarge the petitioners on bail, let the petitioners above named be released on bail *after framing of charge* on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Court of Excise, Patna City in connection with Agamkuan P.S. Case No.62 of 2024.

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 petitioners shall be released on bail on above conditions and they 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)

lata/-

U		T	
---	--	---	--

