

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20848 of 2024

Arising Out of PS. Case No.-505 Year-2023 Thana- JOGAPATTI District- West Champaran

Krishna Prasad @ Murari Prasad @ Krishna Kumar @ Murari Kumar S/o
Vidyanand Prasad R/o Vill - Piprahiya, P.S. - Yogapatti, District - West
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey, Advocate

For the Opposite Party/s : Mr.Ajay Kumar Jha, 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
Yogapatti P.S. Case No. 505 of 2023 instituted for the offences
punishable under Section 30(a) of Bihar Prohibition and Excise
Act.

3. As per the prosecution case, total 95.04 liters of
illicit liquor has been recovered from a car bearing registration
no. BR01PN 0840.

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 or with the vehicle in question. Neither



the petitioner was arrested on the spot nor any incriminating article has been recovered from his conscious possession. His name surfaced in this case merely on the basis of confessional statement of apprehended co-accused Paspat Manjhi. 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 Exclusive Special Judge, Excise-II, Bettiha, West Champaran in connection with Yogapatti P.S. Case No. 505 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)

lata/-

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

