

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19338 of 2024

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

Mithlesh Kumar @ Raju Kumar Son of Munshi Prasad Resident of Vill.-
Dayalpur, P.S.-Hilsa, Distt.-Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjay Kumar Singh
For the Opposite Party/s : Mr.Parmanand Kumar

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
Agamkuan P.S. Case No.62 of 2024 registered for the offence
under Section 414 of the Indian Penal Code and Sections 30(a),
32(2), 32(3), 36, 41(1), 41(2) of the Bihar Prohibition and
Excise Act.

3. As per FIR, there is recovery of 197.94 litre
of illicit liquor from different vehicles.

4. Learned counsel appearing on behalf of the
petitioner has submitted that petitioner has falsely been
implicated in the present case. It is submitted that recovery of
alleged illicit liquor was not made from conscious physical



possession of the petitioner and he has no concern with the alleged recovery of illicit liquor as well as vehicle in question. It is submitted that seizure list appears doubtful being not supported by independent witnesses, rather by police personnels. It also submitted that similarly situated co-accused persons have already been granted bail by this Court through Cr. Misc. No. 16214 of 2024 on 06.03.2024 and Cr. Misc. No.16966 of 2024 on 11.03.2024. It is further submitted that petitioner is in custody since 17.01.2024.

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 Agamkuan P.S. Case No.62 of 2024 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Court of Excise, Patna City.

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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