

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20855 of 2024

Arising Out of PS. Case No.-267 Year-2023 Thana- VISHAMBHARPUR District- Gopalganj

Amit Prasad @ Arjun Prasad Son Of Sri Suresh Prasad Resident Of Village-
Siswan, Ps- Tareyan Sujan, Distt- Kushinagar Up

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar, Advocate

For the Opposite Party/s : Mr.Manoj Kumar, 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 Vishambharpur P.S. Case No. 267 of 2023 instituted for the offences punishable under Section 30(a) of Bihar Prohibition and Excise (Amendment) Act.

3. As per the prosecution case, petitioner was apprehended on the spot and from a motorcycle bearing registration no. UP57BD6237, total 72 liters of illicit liquor was recovered.

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. As submitted by learned counsel for the petitioner that no signature of petitioner has been obtained by the concerned authority on the seizure list. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. He is languishing in judicial custody since 30.12.2023.

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 Additional Sessions Judge-IV-cum-Exclusive Special Excise-II, Gopalganj in connection with Vishambharpur P.S. Case No. 267 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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