

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21663 of 2024

Arising Out of PS. Case No.-80 Year-2022 Thana- BALIGAON District- Vaishali

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Raj Kumar Chaurasiya @ Raj Kumar Chaurasia S/o Surendra Chaurasiya @
Sulindra Bhagat @ Surendra Bhagat R/o vill - Kothiya, P.S. - Bangra, Distt. -
Samastipur (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nakul Jamuar

For the Opposite Party/s : Mr.Ajay Kumar Jha

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CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA

ORAL ORDER

2 20-03-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner is in custody in connection
with Baligaon P.S Case No. 80 of 2022 registered for
the offences punishable under Sections 414 of the I.P.C
and 30(a), 36, 41 (1) of Bihar Prohibition and Excise
Act.

3. As per prosecution case, total 2027.52 litre
illicit liquor was recovered from the container.

4. Learned counsel for the petitioner submits
that petitioner has falsely been implicated in this case. It



is further submitted that no incriminating article has been recovered from the conscious possession of the petitioner. On perusal of seizure list there is no independent witness. It is also submitted that petitioner is in judicial custody since 15.01.2024.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. On perusal of the FIR, impugned order and period of custody and also considering the aforesaid facts and circumstances of the case and submissions made on behalf of the petitioner, let the above named petitioner be released on bail *after framing of the charge* on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise Court No. 1 -cum- Additional District and Sessions Judge, Vaishali at Hajipur in connection with Baligaon P.S Case No. 80 of 2022.

7. The trial court is directed to conclude the proceeding of framing of charge according to law within



a period of 15 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 the 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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