

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24194 of 2024

Arising Out of PS. Case No.-96 Year-2023 Thana- SAHARGHAT District- Madhubani

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Umesh Yadav @ Umesh Kumar Yadav SON OF Biltu Yadav Village
-Gangaur PS- Harlakhi Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem, APP

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**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 28-03-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks regular bail in connection with
Saharghat P.S. Case No. 96 of 2023 registered for the offence
under Sections 272, 273, 414 / 34 of the Indian Penal Code and
Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per allegation in the FIR, it is a case of recovery
of total 135 liters of Nepali illicit liquor.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in the present case. Nothing has been recovered from the possession of the petitioner. He further submits that the petitioner was not arrested on spot and is in custody since 18.01.2024.

5. However, learned APP for the State vehemently opposed the prayer for regular bail.

6. On perusal of FIR, impugned order dated 13.02.2024 and seizure list, it appears that there is no independent witness of the seizure list. Considering the aforesaid facts and circumstances of the case, let the petitioner, abovenamed, 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 learned Additional Sessions Judge – II – cum – Special Judge, Excise, Madhubani in connection with Saharghat P.S. Case No. 96 of 2023.

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 proceeding of framing of charge.

(Ramesh Chand Malviya, J)

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