

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18245 of 2024

Arising Out of PS. Case No.-6 Year-2024 Thana- GOVINDGANJ District- East Champaran

RAKESH KUMAR S/O- VIJAY PATEL R/O- VILLAGE- LOKNATHPUR
PANDEY TOLA, P.S.- GOVINDGANJ, DIST.- EAST CHAMPARAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Rashmi Jha

For the Opposite Party/s : Mr. Shaheen Begum

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

ORAL ORDER

2 13-03-2024 Heard learned counsel appearing on behalf
of the parties.

2. The petitioner seeks bail in connection with
Govindganj (Malahi) P.S. Case No.6 of 2024 registered for the
offence under Sections 30(a) and 41(1) of the Bihar Prohibition
and Excise Act.

3. As per FIR, there is recovery of total 48.420
litre of illicit liquor from the possession of this petitioner.

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. It is submitted that seizure list appears doubtful being not supported by independent witnesses, rather by police personnels. It is further submitted that petitioner is in custody since 05.01.2024.

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 Govindganj (Malahi) P.S. Case No.6 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 Excise Judge-I, Motihari, East Champaran.

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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