

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18428 of 2024

Arising Out of PS. Case No.-30 Year-2024 Thana- JAYNAGAR District- Madhubani

Ramesh Kumar Singh, aged about 34 years, Male Son of Raj Kumar Singh,
Resident of Village- Rajputani Tol, P.S.- Jaynagar, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Gagan Deo Yadav, Advocate Mr. Ravi Prakash, Advocate Mr. Rajesh Kumar, Advocate
For the Opposite Party/s	:	Mr. Rajendra Nath Jha, APP

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

ORAL ORDER

2 13-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Jaynagar PS Case No. 30 of 2024 instituted for the offences
punishable under Section 30(a) of the Bihar Prohibition and
Excise Act.

3. As per the prosecution case, total 225 liters of illicit
liquor has been recovered from a Bamboo Orchard.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence and has
falsely been implicated in this case. He next submits that no
incriminating articles or wine have been recovered from the



conscious possession of the petitioner. The recovery is from a bamboo orchard which is fully open place. Petitioner has got no criminal antecedent as stated in para 3 of the petition. Petitioner is in custody since 23.01.2024.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR and the impugned order of the learned Additional Sessions Judge-II-cum-Special Judge Excise Act, Madhubani dated 07.02.2024, it appears that there is no any independent witness of the seizure list. Nothing has been recovered from the conscious possession of the petitioner and the recovery is from the bamboo orchard, which is an open place, accordingly the prayer for bail of the petitioner is allowed. Let the petitioner above named 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 District and Sessions Judge-II-cum-Special Judge Excise Act, Madhubani in connection with Jaynagar PS Case No. 30 of 2024.

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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