

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18224 of 2024

Arising Out of PS. Case No.-43 Year-2024 Thana- SHAHPUR PATORI District- Samastipur

Munna Kumar son of Sivnath Rai Village- Mohanpur Ps- Patori Mohanpur
OP Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Piyush Kumar Pandey
For the Opposite Party/s : Mr.Satya Nand Shukla

**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
Patori (Mohanpur) P.S. Case No.43 of 2024 registered for the
offence under Section 30(a) of the Bihar Prohibition and Excise
Act.

3. As per FIR, there is recovery of total 160.56
litre of illicit liquor from a Bolero car bearing registration no.
BR04G1775.

4. Learned counsel appearing on behalf of the
petitioner has submitted that petitioner has falsely been
implicated in the present case, where, petitioner is driver only. It
is submitted that recovery of alleged illicit liquor was not made



from conscious physical possession of the petitioner rather the same was recovered from a bolero car, where, petitioner was not under knowledge about consignment of illicit liquor. It is further submitted that the petitioner has no concern with the alleged recovery of illicit liquor as well as vehicle in question. It is further submitted that petitioner is a man of clean antecedent and he is in custody since 04.02.2024.

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 Patori (Mohanpur) P.S. Case No.43 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 Special Judge 2nd, Excise, Samastipur.

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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