

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18900 of 2024

Arising Out of PS. Case No.-721 Year-2022 Thana- HARNAUT District- Nalanda

=====

Tuntun Yadav @ Tuntun Kumar Son Of Late Jamindra Yadav Resident Of
Village - Sabanhua, Police Station - Harnaut, District - Nalanda

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Singh, Adv.

For the Opposite Party/s : Mr.Abhay Kumar, APP

=====

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

ORAL ORDER

2 14-03-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner is in custody in connection
with Harnaut P.S Case No. 721 of 2022, corresponding
to Special Excise Case No. 2950 of 2022 registered for
the offences punishable under Sections 30(a) of Bihar
Prohibition and Excise Act.

3. As per prosecution case, total 20 litre illicit
liquor was recovered from the motorcycle.

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. Petitioner is not arrested on the spot. It is also submitted that petitioner is in judicial custody since 08.01.2024.

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 Additional Sessions Judge-V cum Special Judge (Excise), Nalanda at Biharsharif in connection with Harnaut P.S Case No. 721 of 2022, corresponding to Special Excise Case No. 2950 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)

Mayank/-

U		T	
---	--	---	--

