

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21248 of 2024

Arising Out of PS. Case No.-483 Year-2016 Thana- SHAHPUR PATORI District- Samastipur

Mukesh Roy @ Sadhu Roy, Male, aged about 25 years, S/o Musaffir Roy R/O VILL-UTRI DUMRI PS-SHAHPUR PATORI MOHANPUR OP DIST-SAMASTIPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dilip Kumar Roy

For the Opposite Party/s : Mr.Surendra Kumar

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 19-03-2024

Heard learned counsel appearing on behalf

of the parties.

2. The petitioner seeks bail in connection with Patori (Mohanpur OP) P.S. Case No.483 of 2016 registered for the offence under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per FIR, there is recovery of total 50.04 litre of illicit liquor from the possession of the 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 as well as vehicle in question. 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 15.01.2024.

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 Patori (Mohanpur OP) P.S. Case No.483 of 2016 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 Excise-2, Samstipur.

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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