

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20769 of 2024

Arising Out of PS. Case No.-9 Year-2024 Thana- DARIYAPUR District- Saran

Manager Ray S/O- Late Agin Ray R/O- Village- Konhwa, P.S.- Dariyapur,
Dist.- Saran At Chapra.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Udai Shankar Singh, Advocate

For the Opposite Party/s : Mr.Suresh Prasad Singh, APP

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

ORAL ORDER

2 18-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Dariyapur P.S. Case No. 9 of 2024 instituted for the offences
punishable under Section 30(a) of Bihar Prohibition and Excise
Act.

3. As per the prosecution case, total 120 liters of illicit
liquor has been recovered from the *Dalan* of the petitioner.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He has
falsely been implicated in this case. He has no concern with the
alleged recovered liquor. The said recovery has been made as
alleged from Dalan which is an open place with no room.



Nothing incriminating article has been recovered from his conscious possession. As submitted by learned counsel for the petitioner that no signature of petitioner has been obtained by the concerned authority on the seizure list. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. He is languishing in judicial custody since 08.01.2024.

5. Learned APP for the State has vehemently opposed the prayer for bail.

6. Considering the facts and circumstances of the case and submissions made on behalf of the petitioner as well as period of custody of the petitioner, let the above named petitioner 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 A.D.J.-II-cum-1st Exclusive Special Judge Excise, Chapra, Saran in connection with Dariyapur P.S. Case No.9 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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