

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18486 of 2024

Arising Out of PS. Case No.-283 Year-2023 Thana- KEWATI District- Darbhanga

Govind Yadav, Male, aged about 23 years, Son of Arun Yadav, Resident of
Village- Sonhan P.S.- Keoti District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saurav Anand, Advocate

For the Opposite Party/s : Mr. Suresh Prasad Singh, 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 Keoti
PS Case No. 283 of 2023 instituted for the offences punishable
under Section 30(a) of the Bihar Prohibition and Excise Act,
2016

3. As per the prosecution case, total 361 liters and 500
ml. Nepali sufi wine has been recovered from a Swift Dzire Car
bearing Registration No. DL 5CH-3826.

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. Nothing has been recovered



from the conscious possession of the petitioner and the recovery is from a car. Petitioner is neither arrested at the spot nor the owner of the car. Petitioner is in custody since 12.01.2024.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR and the impugned order of the learned Special Judge, Excise-Ist, Darbhanga dated 12.02.2024, it appears that the alleged recovery is not from the conscious possession of the petitioner. Petitioner is neither the owner of the vehicle nor the driver and not arrested at the spot, 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 Special Judge Exclusive Excise Act-I, Darbhanga in connection with Kewati PS Case No. 283 of 2023.

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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