

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19292 of 2024

Arising Out of PS. Case No.-19 Year-2024 Thana- SIRDALA District- Nawada

TAHAL SINGH S/O JAIRAM SINGH R/O VILLAGE- JAMUNDAHA, P.S-
RAJAULI, DISTT.- NAWADA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kumar
For the Opposite Party/s : Mr.Jharkhandi Upadhyay

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA

ORAL ORDER

2 14-03-2024 Heard learned counsel appearing on behalf
of the parties.

2. The petitioner seeks bail in connection with
Sirdala P.S. Case No.19 of 2024 registered for the offence under
Sections 30(a) and 41 of the Bihar Prohibition and Excise Act.

3. As per FIR, there is recovery of 95 litre of
illicit liquor from a motorcycle.

4. Learned counsel appearing on behalf of the
petitioner has submitted that petitioner has falsely been
implicated in the present case, where, petitioner was not arrest
on spot and his name surfaced on the basis of statement of local
Chaukidar. 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. 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 02.02.2024.

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 Sirdala P.S. Case No.19 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 Exclusive Special Excise Court No.1, Nawada.

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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