

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19415 of 2024

Arising Out of PS. Case No.-40 Year-2023 Thana- NADI District- West Champaran

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1. DEEPAK KUMAR SAHANI S/O- LATE JAY KISHUN SAHANI @ JAY KISHUN R/O- VILLAGE- KESRA TOLI, PADRAUNA, P.S.- KOTWALI, DIST.- KUSHINAGAR (U.P.)
 2. OM PRAKASH S/O- LATE JAY KISHUN SAHANI @ JAY KISHUN R/O- VILLAGE- SARDAR, PATEL NAGAR, PADRAUNA, P.S.- KOTWARI, DIST.- KUSHINAGAR (U.P.)

... .. Petitioner/s

Versus

THE STATE OF BIHAR, PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Purna Anand
For the Opposite Party/s : Ms. Asha Devi

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 14-03-2024 Heard learned counsel for the parties.

2. The petitioner seeks regular bail in connection with Nadi P.S. Case No. 40 of 2023 registered for the offence under Section 30(a) of Bihar Prohibition and Excise Act, 2016.

3. It is a case of recovery of total 72.120 liters of illegal liquor.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. He is custody since 30.11.2023.

5. However, learned APP for the State vehemently opposed the prayer for regular bail.



6. Considering the aforesaid facts and circumstances of the case and also taking into account the period of custody, let the petitioner, above named, be released on bail *after framing of charge* on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge Excise, Bagaha, West Champaran, in connection with Nadi P.S. Case No. 40 of 2023.

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 condition 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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