

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26186 of 2024

Arising Out of PS. Case No.-504 Year-2021 Thana- MOHANIYA District- Kaimur (Bhabua)

Bikar Singh S/O Sukhdev Singh R/O Ekohi Sahib,P.S- Sadar Sangrur, Distt.-
Sangrur, Punjab-148001 Petitioner/s

Versus

The State Of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Shanu, Advocate

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

2 08-04-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks regular bail in connection with Mohania Police Station Case No. 504 of 2021 registered for the offence under Sections 30(a), 36, 41(I) of the Bihar Prohibition and Excise Act.

3. It is a case of recovery of total 4605.12 liters of illicit liquor from inside truck bearing registration No. PB23-6195.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Nothing has been recovered from the possession of the petitioner. He further submits that petitioner was not arrested on spot and the petitioner is the owner of the said truck whose name was surfaced from the confessional statement of the co-accused – cum – truck driver. There is no independent witness



of the seizure list. The petitioner is in custody since 06.01.2024.

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

6. Considering the aforesaid facts and circumstances of the case, 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 learned Court of Special Judge, Excise No. 1 – cum – A.D.J. - IV, Kaimur at Bhabhua in connection with Mohania P.S. Case No. 504 of 2021.

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 conditions and he shall be present physically on each and every date before the trial court till conclusion of proceeding of framing of charge.

(Ramesh Chand Malviya, J)

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