

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20598 of 2024

Arising Out of PS. Case No.-632 Year-2023 Thana- Excise P.S. District- Saran

Raju Kumar @ Raju Rai son of Khayali Ray, R/o Village- Malwahiya Ps-
Parsa Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Tiwary, Advocate
For the Opposite Party/s : Mr.Ramchandra Sahni, 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 Sadar
Excise P.S. Case No. 632 of 2023 instituted for the offences
punishable under Sections 30(a) and 32(3) of Bihar Prohibition
and Excise (Amendment) Act.

3. As per the prosecution case, total 129.600 liters of
illicit foreign liquor has been recovered from a car bearing
registration no. BR-065-2427.

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 or with the seized vehicle. Nothing



incriminating article has been recovered from his conscious possession. Both the seizure list witnesses are police personnel which is complete violation of Section 100 of Cr.P.C. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. He is languishing in judicial custody since 21.12.2023.

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 3rd Exclusive Special Excise Court, Saran at Chapra in connection with Sadar Excise P.S. Case No. 632 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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