

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.23069 of 2024**

Arising Out of PS. Case No.-28 Year-2024 Thana- Excise P.S. District- Jehanabad

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Bharat Muralidhar Waghmode son of Murlidhar Yashwant Waghmode @  
Murlidhar Yashwant R/o- Vadgaon Po- Pusesawali Taluka- Khatav Ps- Audh  
Dist- Satara, Maharashtra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

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

For the Opposite Party/s : Mr.Yogendra Kumar Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND  
MALVIYA**

ORAL ORDER

2      21-03-2024                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks bail in connection with Excise  
P.S. Case No. 28 of 2024 instituted for the offences punishable  
under Sections 30(a), 32(c) and 56(b) of Bihar Prohibition and  
Excise Amendment Act.

3. As per the prosecution case, total 400 liters of  
alcohol/spirit has been recovered from a four wheeler vehicle  
bearing registration no. MH50N-1762.

4. Learned counsel for the petitioner submits that  
petitioner is innocent and has committed no offence. He has  
falsely been implicated in this case. Neither he has concern with



the alleged recovered liquor nor with the vehicle in question belongs to him. 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 20.01.2024.

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 Special Judge-II, Excise, Jehanabad in connection with Excise P.S. Case No. 28 of 2024.

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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