

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20226 of 2024

Arising Out of PS. Case No.-466 Year-2023 Thana- BAHADURPUR District- Darbhanga

SUMIT KUMAR, MALE, AGED ABOUT 28 YEARS, SON OF RAMESH MANDAL @ RAMESH PRASAD MANDAL R/O-PANDASARAY, P.S.-LAHERIASARAI, DISTT.-DARBHANGA, BIHAR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Madhumala Kumari

For the Opposite Party/s : Mr.Gulnar Begum

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 15-03-2024

Heard learned counsel appearing on behalf

of the parties.

2. The petitioner seeks bail in connection with Bahadurpur P.S. Case No.466 of 2023 registered for the offence under Sections 30(a), 32(i), 32(ii), 41 and 47 of the Bihar Prohibition and Excise Act.

3. As per FIR, there is recovery of 1105.92 litre of illicit liquor from a truck bearing registration no. UP242T2621.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner has falsely been implicated in the present case. It is submitted that recovery of alleged illicit liquor was not made from conscious physical



possession of the petitioner rather the same was recovered from a truck. It is further submitted that the petitioner has no concern with the alleged recovery of illicit liquor as well as vehicle in question. It is also submitted that similarly situated co-accused person has already been granted by this Court through Cr. Misc. No.10839 of 2024 on 22.02.2024. It is further submitted that petitioner is a man of clean antecedent and he is in custody since 20.10.2023.

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 Bahadurpur P.S. Case No.466 of 2023 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge 1st, Excise Act, Darbhanga.

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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