

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20741 of 2024

Arising Out of PS. Case No.-144 Year-2024 Thana- JAMUI District- Jamui

Varun Kumar son of Rajendra Prasad Burnwal Village- Hariyadih w.No-11,
Ps- Khaira Dist- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Sinha, Advocate
For the Opposite Party/s : Mr.Abhay Kumar, 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 Jam P.S.
Case No 144 of 2024 instituted for the offences punishable under
Section 30(a) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 28.250 liters of
illicit liquor has been recovered from the house and flour mill of
the petitioner.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He has
falsely been implicated in this case on the basis of his previous
criminal antecedent. He has no concern with the alleged recovered
liquor. 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.
Petitioner is languishing in judicial custody since 13.02.2024.

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 Exclusive Special
Judge Excise-II, Jamui in connection with Jam P.S. Case No. 144
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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