

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20735 of 2024

Arising Out of PS. Case No.-12 Year-2024 Thana- VIDYAPATINAGAR District- Samastipur

Digambar Chaudhary S/O Late Nagendra Chaudhary R/O Village- Sherpur,
P.S- Vidyapatinagar, Distt.- Samastipur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mahendra Pratap, Advocate

For the Opposite Party/s : Mr.Md. Shakir Ahmad, 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 Vidyapatinagar P.S. Case No. 12 of 2024 instituted for the offences punishable under Section 30(a) of Bihar Prohibition and Excise (Amendment) Act.

3. As per the prosecution case, petitioner was apprehended on the spot and total 945 liters of illicit liquor has been recovered from the cattle house situated behind the house 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. He has no concern with the



alleged recovered liquor. Nothing incriminating article has been recovered from his conscious possession. The said cattle house belongs to the joint family. As submitted by learned counsel for the petitioner that no signature of petitioner obtained by the concerned officer on the seizure list. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. He is languishing in judicial custody since 14.01.2024.

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 Excise-I, Samastipur in connection with Vidyapatnagar P.S. Case No.12 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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