

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26419 of 2024

Arising Out of PS. Case No.-2 Year-2024 Thana- KOCHAS District- Rohtas

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Dhruv Kumar Sinha @Dhurv Kumar Sinha SON OF Late Brij Nandan Prasad
@ Brajanandan prasad RESIDENT OF VILLAGE- JHAUWA, PS- ABTAR
NAGAR, DISTT- CHHAPRA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vijay Kumar Sinha, Advocate

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

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

ORAL ORDER

2 08-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Kochas
P.S. Case No. 02 of 2024 instituted for the offences punishable
under Section Section 30(a) of Bihar Prohibition and Excise
Act.

3. As per the prosecution case, petitioner along with
co-accused apprehended on the spot and from a Swift Dzire Car
bearing registration no. BR1AL-8008, total 147.6 liters of illicit
foreign liquor was recovered.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He has
falsely been implicated in this case by the police merely on



suspicion. Neither he has any concern with the alleged recovered liquor nor 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 06.01.2024

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 Exclusive Special Excise Court-II-cum-Additional District and Sessions Judge, Rohtas at Sasaram in connection with Kochas P.S. Case No.02 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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