

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21227 of 2024

Arising Out of PS. Case No.-4 Year-2024 Thana- KAJRA District- Lakhisarai

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Gaurav Kumar, aged about 19 years, Male, Son of Bhushan Ram @ Musan
Ram @ Mushan Ram, Resident of Village - Manikpur, P.S. - Kajara, District –
Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

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

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

ORAL ORDER

2 20-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Kajara
P.S. Case No. 04 of 2024 instituted for the offences punishable
under Section 30(a) of the Bihar Prohibition and Excise
(Amendment) Act, 2022.

3. As per the prosecution case, 40 liters of country
made illegal liquor was recovered from a motorcycle in a plastic
sack.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence and has
falsely been implicated in this case. No any incriminating



articles have been recovered from the conscious possession of the petitioner. Petitioner has got no criminal antecedent as stated in para-3 of the petition and is in custody since 11.01.2024.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR and the impugned order of the learned Additional Sessions Judge-Vth-cum-Exclusive Special Court-2, Excise Act, Lakhisarai dated 09.02.2024, it appears that no any independent witness of the seizure list and the investigation is still in progress, accordingly the prayer for bail of the petitioner is allowed. Let the petitioner above named 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 Additional Sessions Judge-V-cum-Exclusive Special Court No. 2, Excise Act, Lakhisarai in connection with Kajara PS Case No. 04 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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