

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24244 of 2024

Arising Out of PS. Case No.-231 Year-2024 Thana- Excise P.S. District- Patna

1. Prakash Kumar Son of Madan Prasad Resident of Mohalla- Nehru Nagar, P.S.- Patliputra, District-Patna
2. Dinesh Kumar Son of Pachu Mahto Resident of Village- Darveshpur, P.S.- Maner, District-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Priya Ranjan

For the Opposite Party/s : Mr.Arvind Kumar Pandey (App.84)

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 28-03-2024 Heard learned counsel appearing on behalf
of the parties.

2. The petitioners seek bail in connection with Excise P.S. Case No.231 of 2024 registered for the offence under Sections 30(a) and 56(B) of the Bihar Prohibition and Excise Act.

3. As per FIR, there is recovery of 160.320 litre of illicit liquor from a car bearing registration no.BR01FN4462.

4. Learned counsel appearing on behalf of the petitioners has submitted that petitioners have 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 petitioners and they have no concern with the alleged recovery of illicit liquor. It is submitted that seizure list appears doubtful being not supported by independent witnesses, rather by police personnels. It is further submitted that petitioners are men of clean antecedent and they are in custody since 13.02.2024.

5. Learned APP appearing for the State, opposes the prayer for bail of the petitioners.

6. Considering the facts and circumstances and submissions made on behalf of the petitioners, let both the petitioners, above named, are directed to be released on bail, ***after framing of the charge***, in connection with Excise P.S. Case No.231 of 2024 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge Excise Court No.3, Patna.

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 petitioners shall be released on bail on furnishing bail bond with further



condition that the petitioners 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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