

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25106 of 2024

Arising Out of PS. Case No.-391 Year-2023 Thana- CHAINPUR District- Kaimur (Bhabua)

Dharmendra Bind, age about 25 years, Son of Nagina Bind, Resident of
Village- Bhadaura, P.S.- Chainpur, District- Kaimur at Bhabua.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Advocate

For the Opposite Party/s : Mr. Mohammed Arif, APP

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

ORAL ORDER

2 03-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Chainpur P.S. Case No. 391 of 2023 instituted for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2018.

3. As per the prosecution case, total 09 liters of illicit country made liquor has been recovered from the house of the petitioner.

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 only on the basis of suspicion. Nothing has 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 20.02.2024.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR, search cum seizure list and the impugned order of the learned I/C Special Judge Excise-1, Kaimur at Bhabua dated 20.02.2024, it appears that total 09 liters of illicit country made liquor has been recovered from the house of the petitioner. Petitioner has not been caught at the spot and there is no any independent witness of the seizure list, 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 Special Judge Excise No. 1-cum-A.D.J.-IV, Kaimur at Bhabua in connection with Chainpur P.S. Case No. 391 of 2023.

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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