

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23573 of 2024

Arising Out of PS. Case No.-45 Year-2024 Thana- RANIGANJ District- Araria

Chhotu Kumar Sah son of Late Ramesh Prasad Sah @ Ramesh Sah Village-
Hassanpur Nagar Panchayat Ps- Raniganj Dist- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 28-03-2024

Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks regular bail in connection with Raniganj P.S. Case No. 45 of 2024 registered for the offence under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per allegation in the FIR, it is a case of recovery of total 45 liters of illicit foreign liquor.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Nothing has been recovered from the possession of the petitioner. He further submits that the petitioner is arrested on spot and is in custody since 08.02.2024.

5. However, learned APP for the State vehemently opposed the prayer for regular bail.

6. On perusal of FIR, impugned order dated



16.02.2024 and seizure list, it appears that total 45 liters of illicit foreign liquor recovered from the house of other co-accused Mithu Tatma and no recovery was made from the house of the petitioner. Considering the aforesaid facts and circumstances of the case, let the petitioner, abovenamed, 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 learned Exclusive Special Judge, Excise – 1, Araria in connection with Raniganj P.S. Case No. 45 of 2024.

7. The trial court is directed to conclude the proceeding of framing of charge according to law within a period of 15 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 the above conditions and he shall be present physically on each and every date before the trial court till conclusion of proceeding of framing of charge.

(Ramesh Chand Malviya, J)

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