

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23226 of 2024

Arising Out of PS. Case No.-803 Year-2023 Thana- Excise P.S. District- Nawada

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LADEN SINGH @ SANTU KUMAR @ SANTU SINGH S/O LATE
DWARIKA SINGH @ LATE DARSRAKA SINGH R/O VILLAGE-
SHIVDAYAL BIGHA, P.S- NAGAR, DISTT.- NAWADA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr.Braj Kishore Pd., APP

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

ORAL ORDER

2 21-03-2024

Heard learned counsel for the petitioner and learned APP

for the State.

2. The petitioner seeks bail in connection with Excise
Case No. 803 of 2023 instituted for the offences punishable under
Section 30(a) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 63.750 liters of illicit
foreign liquor has been recovered from the house of the petitioner.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He has falsely
been implicated in this case. He has no concern with the alleged
recovered liquor and the alleged house is the joint property. Neither
the petitioner was arrested on the spot nor any incriminating article
has been recovered from his conscious possession. A statement has



been made in para 3 of the petition that petitioner has no criminal antecedent. He is languishing in judicial custody since 31.12.2023.

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-2, Nawada in connection with Excise Case No. 803 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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