

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22343 of 2024

Arising Out of PS. Case No.-37 Year-2024 Thana- KATEYA District- Gopalganj

1.

Dharmendra Kumar, Male, aged about 22 years, S/o- Harendra Rai Vill-
Takeya, Bheldi, Dist- Saran
2.

Arjun Manjhi, Male, aged about 25 years, son of Ram Pujan Manjhyi
Village- Patrahi Khurd Ps- Bheldi Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Mishra
For the Opposite Party/s : Ms. Meena Singh

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA

ORAL ORDER

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20-03-2024

Heard learned counsel appearing on behalf
of the parties.

2. The petitioners seek bail in connection with
Kateya P.S. Case No.37 of 2024 registered for the offence under
Sections 414/34 of the Indian Penal Code and Section 30(a) of
the Bihar Prohibition and Excise Act.

3. As per FIR, there is recovery of 1270.080
litre of illicit liquor from a truck bearing registration no.
BR25GA1259.

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 rather the same was recovered from a truck, where, petitioner no.1 is driver and petitioner no.2 is Khalasi and they have no knowledge about the illegal consignment of illicit liquor. It is further submitted that the petitioners have no concern with the alleged recovery of illicit liquor as well as vehicle in question. 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 both the petitioners are in custody since 07.02.2024.

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 Kateya P.S. Case No.37 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 Additional Sessions Judge-II-cum-Special Judge, Excise-I, Gopalganj.

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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