

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.22069 of 2024**

Arising Out of PS. Case No.-323 Year-2024 Thana- Excise P.S. District- Patna

Ajit Kumar @ Ajit Ray S/o Mahendra Ray @ Mahendra Rai R/o vill - Bakar  
Chak, P.S. - Gauri Chak, Distt. - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ajay Kumar Singh No. I

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

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

ORAL ORDER

2      20-03-2024                      Heard learned counsel for the petitioner and  
  
learned APP for the State.

2. The petitioner is in custody in connection  
with Excise Patna Case No. 323 of 2024 registered for  
the offences punishable under Sections 30(a) & 56(b) of  
Bihar Prohibition and Excise Act 2018 & 2022.

3. As per prosecution case, total 180 litre illicit  
liquor was recovered.

4. Learned counsel for the petitioner submits  
that petitioner has falsely been implicated in this case. It  
is further submitted that no incriminating article has  
been recovered from the conscious possession of the



petitioner. On perusal of seizure list there is no independent witness. Petitioner has got no criminal antecedent as stated in para 3 of the bail petition. It is also submitted that petitioner is in judicial custody since 19.02.2024.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. On perusal of the FIR, impugned order and period of custody and also considering the aforesaid facts and circumstances of the case and submissions made on behalf of the petitioner, let the above named petitioner be released on bail *after framing of the charge* on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise III, Patna in connection with Excise Patna Case No. 323 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 the proceeding of framing of charge.

(Ramesh Chand Malviya, J)

Mayank/-

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