

Arising Out of PS. Case No.-8 Year-2024 Thana- KHANPURA District- Samastipur

... .. Petitioner/s

Versus

... .. Opposite Party/s

For the Opposite Party/s : **Mr.Pradeep Narain Kumar**

ORAL ORDER

Heard learned counsel appearing on behalf

of the parties.

2. The petitioner seeks bail in connection with Khanpur P.S. Case No.08 of 2024 registered for the offence under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per FIR, there is recovery of 165.600 litre of illicit liquor from a car and a motorcycle bearing registration nos. DL12CL7288 and BR33Z5702 respectively.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner has falsely been implicated in the present case, where, petitioner was not arrested on spot and his name disclosed on the basis of confessional statement of other co-accused person, namely, Ashish Kumar



Chaudhary. It is submitted that recovery of alleged illicit liquor was not made from conscious physical possession of the petitioner rather the same was recovered from a car and a motorcycle. It is further submitted that the petitioner has no concern with the alleged recovery of illicit liquor as well as vehicles in question. It is further submitted that petitioner is a man of clean antecedent and he is in custody since 18.02.2024.

5. Learned APP appearing for the State, opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances and submissions made on behalf of the petitioner, let the petitioner, above named, is directed to be released on bail, ***after framing of the charge***, in connection with Khanpur P.S. Case No.08 of 2024 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court – 1st, Samastipur.

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 petitioner shall be



released on bail on furnishing bail bond with further condition that the petitioner 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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