

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24220 of 2024**

Arising Out of PS. Case No.-10 Year-2024 Thana- DHANKUND District- Banka

Pradeep Sahani S/o Late Vasudev Sahani R/O VILLAGE MOHAMMADPUR
SAKRA, POLICE STATION BIBHUTIPUR, DISTRICT SAMASTIPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee, Advocate
For the Opposite Party/s : Ms. Asha Kumari, 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
Special Excise Case No. 45 of 2024 arising out of Dhankund
P.S. Case No. 10 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 223.200 liters of illicit foreign made liquor from a
Mahindra Bolero vehicle bearing registration No. BR06P8364.

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 in custody since 30.01.2024.

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

6. On perusal of FIR and impugned order dated 27.02.2024 and seizure list, it appears that there is no independent witness of the seizure list. 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 Additional District & Sessions Judge – II, Banka/Court concerned, Banka in connection with Special Excise Case No. 45 of 2024 arising out of Dhankund P.S. Case No. 10 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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