

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22872 of 2024

Arising Out of PS. Case No.-52 Year-2024 Thana- Excise P.S. District- Buxar

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1. Sonu S/O Rajendra @ Rajinder Kumar R/O House No. 240, Kutani Marg, Pahalwan Chaok, Ashok Vihar Colony, P.S- Kila Chauki, Distt.- Panipat (HARAYANA).
 2. Sanjay S/O Om Prakash R/O House No. 1708/3, Gali No. 3, Beriwali Masjid, Ashok Vihar Colony, Kila Chauki, Distt.- Panipat (HARAYANA).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar
For the Opposite Party/s : Mr.Rabindra Kumar

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

ORAL ORDER

2 21-03-2024 Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners are in custody in connection with Buxar Excise P.S Case No. 52 of 2024 registered for the offences punishable under Sections 30(a) of Bihar Prohibition and Excise (Amendment) Act, 2018.

3. As per prosecution case, total 7351.200 litre illicit liquor was recovered from the vehicle.

4. Learned counsel for the petitioners submits that petitioners has falsely been implicated in this case.



It is further submitted that no incriminating article has been recovered from the conscious possession of the petitioners. On perusal of seizure list there is no independent witness. Petitioners 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 10.02.2024.

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

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 petitioners, let the above named petitioners be released on bail *after framing of the charge* on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Court No. 2, Buxar in connection with Buxar Excise P.S Case No. 52 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 petitioners shall be released on bail on the above conditions and they shall be present physically on each and every date before the trial court till conclusion of the proceeding of framing of charge. Further, one of the bailors shall be close relative of the petitioners and trial court shall verify the relation of the bailors with petitioners.

(Ramesh Chand Malviya, J)

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