

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24058 of 2024

Arising Out of PS. Case No.-195 Year-2023 Thana- VIDYAPATINAGAR District-
Samastipur

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Nand Kumar Singh SON OF RAM LAKHAN SINGH RESIDENT OF
VILLAGE- KALYANGANJ BANGRAHA, PS- VIDYAPATI NAGAR,
DIST- SAMASTIPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Suneil Kumar Thakur, Advocate
For the Opposite Party/s : Ms. Meena Singh, APP

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

ORAL ORDER

2 27-03-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks regular bail in connection with
Vidyapatinagar P.S. Case No. 195 of 2023 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 1134 liters of illicit liquor from the possession of the
Nandkumar Singh.

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. Petitioner was not arrested on spot and is in custody since 06.02.2024.

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

6. On perusal of FIR and impugned order dated 23.02.2024 passed by learned Additional Sessions Judge, Excise First, Samastipur 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 Special Judge, Excise, First, Samastipur in connection with Vidyapatinagar P.S. Case No. 195 of 2023.

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 trial of this case and if the petitioner remain absent on two consecutive



dates without any cogent reason, the bail bonds of the petitioner shall be cancelled by the trial Court itself.

(Ramesh Chand Malviya, J)

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