

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26347 of 2024

Arising Out of PS. Case No.-252 Year-2023 Thana- NAUTAN District- Siwan

Prince Kumar @ Prince Chauhan S/o Late Sunil Chauhan R/o vill -
Phulwaria, P.O. - Phulwaria, P.S. - Mairwa, Distt. - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhananjay Shahi, Advocate

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

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

ORAL ORDER

2 08-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Nautan
P.S. Case No. 252 of 2023 instituted for the offences punishable
under Section 30(a) of Bihar Prohibition and Excise
(Amendment) Act.

3. As per the prosecution case, petitioner was
apprehended on spot from the Alto car bearing registration No.
DL-2C-AK 7973 and upon searching of the said car, total 180
liters of illicit liquor was recovered.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He has



falsely been implicated in this case on the basis of suspicion. Neither he has any concern with the alleged recovered liquor nor the vehicle in question belongs to him. Nothing incriminating article has been recovered from his conscious possession. As submitted by learned counsel for the petitioner that petitioner is driver of the said car. Petitioner is languishing in judicial custody since 27.12.2023.

5. Learned APP for the State has vehemently opposed the prayer for bail.

6. Considering the facts and circumstances of the case and submissions made on behalf of the petitioner as well as period of custody of the petitioner, let the above named petitioner 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 the learned Exclusive Special Excise Judge-02, Siwan in connection with Nautan P.S. Case No.252 of 2023.

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 petitioner shall be released on



bail on 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)

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