

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24158 of 2024

Arising Out of PS. Case No.-1 Year-2024 Thana- Excise P.S. District- Bhojpur

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Pritam Singh, aged about 24 years, Male Son of Late Ramraj Singh, Resident of Village - Anaith, Ward No.43, Police Station - Ara Nawada, District – Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Akash Kumar Mishra, Advocate
For the Opposite Party/s : Mr. Pradeep Narain Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 19-04-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Bhojpur Excise P.S. Case No. 01 of 2024 instituted for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2018.

3. As per the prosecution case, total 200 liters illicit liquor from the car bearing registration no. BR01AV 7109.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence and has falsely been implicated in this case only on the basis of suspicion. He further submits that nothing has been recovered from the conscious possession of the petitioner nor he has any



concerned with the alleged seized liquor. Petitioner was traveling in the said car so only on the basis of suspicion he has been made accused. Both the witnesses are police personal. Petitioner is in custody since 01.01.2024.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR and the impugned order of the learned Exclusive Special Excise Judge Excise Court No. II, Bhojpur, Ara dated 12.02.2024, it appears that there is no any independent witness of the seizure list, and similarly situated co-accused persons namely Ravish Kumar has been granted bail by this Court in Cr. Misc. 15392 of 2024 vide order dated 05.03.2024, accordingly the prayer for bail of the petitioner is allowed. Let the petitioner above named 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 Court-II, Bhojpur at Ara in connection with Bhojpur Excise P.S. Case No. 01 of 2024.

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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