

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24202 of 2024

Arising Out of PS. Case No.-40 Year-2024 Thana- PHULWARIYA District- Gopalganj

Om Parkash SON OF LATE KAMESHWAR PRASAD Resident of village-
Fidar Bazar Chapra PS- Bhagwan Bazar District -Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. G Nisha, Adv.

For the Opposite Party/s : Ms.Indu Kumari Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA

ORAL ORDER

2 27-03-2024 Heard learned counsel appearing on behalf of the parties.

2. The petitioner seeks bail registered in connection with Phulwariah PS Case No. 40/2024 for the offence under Sections 30(a) of the Bihar Prohibition and Excise Amendment Act, 2018.

3. As per the prosecution case, recovery of total 186.300 liters of illicit liquor has been made from the dickey of XUV Vehicle bearing Registration No. UP52X-1111.

4. Learned counsel for the petitioner has submitted that petitioner has falsely been implicated in this case. He next submits that no independent witness of seizure list, he has no concern with the seized liquor and nothing has been recovered from the possession of the petitioner. Petitioner is in custody



since 24.01.2024.

5. Learned APP appearing for the State, opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case, let the petitioner, above named, be directed to be released on bail *after framing of the charge* in connection with Phulwariah PS Case No. 40/2024 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Sessions Judge-II-Cum-Special Judge Excise-I, Gopalganj.

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 above named petitioner shall be released on bail on furnishing bail bond with further condition that the petitioner has to be present physically on each and every required date before the Trial Court till conclusion of the proceeding of framing of charge.

(Ramesh Chand Malviya, J)

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