

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25796 of 2024

Arising Out of PS. Case No.-24 Year-2024 Thana- ITARHI District- Buxar

Prince Kumar Singh Son of Lal Babu Singh Resident of Vilage- Hariharpur,
P.S. Shahpur, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satyapal Singh, Advocate

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

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

ORAL ORDER

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

2. The petitioner seeks bail in connection with Itarhi
P.S. Case No. 24 of 2024 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 the spot and from the Alto Car bearing
registration no. BR-1Y-0425, total 90 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. He has no concern with the



alleged recovered liquor. Nothing incriminating article has been recovered from his conscious possession. As submitted by learned counsel for the petitioner that petitioner has no concern with the seized vehicle. Both the seizure list witnesses are police personnel which is complete violation of Section 100 of Cr.P.C. Petitioner is languishing in judicial custody since 20.02.2024.

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 Special Excise Court No.I, Buxar in connection with Itarhi P.S. Case No. 24 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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