

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.23079 of 2024**

Arising Out of PS. Case No.-34 Year-2024 Thana- Excise P.S. District- Madhepura

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1. Vikash Kumar Son of Rajendar Yadav Resident of Village- Jaypal Patti, Ward No.-15, P.S.- Madhepura, Dist.- Madhepura
  2. Nandan Kumar Son of Rajendar Yadav Resident of Village- Jaypal Patti, Ward No.-15, P.S.- Madhepura, Dist.- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Sanjay Kumar Singh, Advocate

For the Opposite Party/s : Mr.Ram Bilash Roy Raman, APP

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

ORAL ORDER

2      21-03-2024                      Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Madhepura Excise P.S. Case No. 34 of 2024 instituted for the offences punishable under Section 30(a) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 112.380 liters of illicit liquor has been recovered from the house of the petitioners.

4. Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence. They have falsely been implicated in this case due to dirty village



politics. They have no concern with the alleged recovered liquor. Nothing incriminating article has been recovered from their conscious possession. The alleged recovery has been made from open place of courtyard of the petitioners, which is easily accessible to anyone. Petitioners are languishing in judicial custody since 11.02.2024.

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 petitioners as well as period of custody of the petitioners, let the above named petitioners be released on bail *after framing of charge* on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-VII-cum-Special Judge Excise-II, Madhepura in connection with Madhepura Excise P.S. Case No.34 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 petitioners shall be released on



bail on above conditions and they 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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