

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23061 of 2024

Arising Out of PS. Case No.-19 Year-2024 Thana- Excise P.S. District- Samastipur

Ganesh Kumar @ Ganesh Kumar Singh @ Ganesh Singh SON OF Shankar
Singh VILLAGE- BANDIH ASLI, PS- SHAHPUR PATORI, DIST-
SAMASTIPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mahendra Pratap, Advocate

For the Opposite Party/s : Mr.Ramesh Chandra, APP

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

ORAL ORDER

2 21-03-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in connection with

Patory Excise P.S. Case No.19 of 2024 instituted for the

offences punishable under Section 30(a) of Bihar

Prohibition and Excise (Amendment) Act.

3. As per the prosecution case, total 11.760 liters

of illicit foreign liquor has been recovered from possession

of the petitioner.

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. 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 06.02.2024.

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 Subordinate Court of learned Special Judge Excise-II, Samastipur in connection with Patory Excise P.S. Case No. 19 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 furnishing bail bond with further



condition that one of the bailors must be close relative of
the petitioner.

(Ramesh Chand Malviya, J)

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