

Arising Out of PS. Case No.-396 Year-2023 Thana- SIRDALA District- Nawada

Arising Out of PS. Case No.-396 Year-2023 Thana- SIRDALA District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manmohan Kumar

For the Opposite Party/s : Mr.Asha Devi

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 28-03-2024

Heard learned counsel appearing on behalf

of the parties.

2. The petitioner seeks bail in connection with Sirdala P.S. Case No.396 of 2023 registered for the offence under Sections 30(a) (c)/41 of the Bihar Prohibition and Excise Act.

3. As per FIR, there is recovery of 15 litre of illicit liquor from the Bahuara Forest.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner has falsely been implicated in the present case, where, petitioner was not arrested on spot. It is submitted that recovery of alleged illicit liquor was not made from conscious physical possession of the petitioner



and he has no concern with the alleged recovery of illicit liquor as well as place of recovery. It is further submitted that petitioner is in custody since 19.10.2023.

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

6. Considering the facts and circumstances and submissions made on behalf of the petitioner, let the petitioner, above named, is directed to be released on bail, ***after framing of the charge***, in connection with Sirdala P.S. Case No.396 of 2023 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.1, Nawada subject to the condition that one of the bailors of the petitioner shall be close relative of the petitioner and the same shall be verified by the learned trial court itself.

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 after release petitioner have to present physically on each



and every date before the Trial Court till conclusion of the trial of the case and if the petitioner would absent from his presence on two consecutive dates without any cogent reason, the bail bonds of the petitioner shall be cancelled by the learned trial court itself.

(Ramesh Chand Malviya, J)

S.Katyayan/-

U		T	
---	--	---	--

