

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24393 of 2024

Arising Out of PS. Case No.-67 Year-2024 Thana- BARBIGHA District- Sheikhpura

=====

SUBODH KUMAR @ SUBODH MAHTO S/O LATE SURESH MAHTON
R/O VILLAGE- MOUR, P.S- BARBIGHA, DISTT.- SHEIKHPURA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Bipin Kumar

For the Opposite Party/s : Mr.Damodar Prasad Tiwary

=====

**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
Barbigha Excise P.S. Case No.67 of 2023 registered for the
offence under Section 30(a) of the Bihar Prohibition and Excise
Act.

3. As per FIR, there is recovery of 18.30 litre of
illicit liquor from a Scooty.

4. Learned counsel appearing on behalf of the
petitioner has submitted that petitioner has falsely been
implicated in the present case. 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. It is submitted that seizure list appears doubtful being not supported by independent witnesses, rather by police personnels. It is further submitted that petitioner is a man of clean antecedent and he is in custody since 23.02.2024.

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 Barbigha Excise P.S. Case No.67 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 Special Exclusive Judge, Sheikhpura.

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 have to present physically on each and every date before the Trial Court till conclusion of the proceeding of



framing of charge.

(Ramesh Chand Malviya, J)

S.Katyayan/-

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

