

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23232 of 2024

Arising Out of PS. Case No.-71 Year-2024 Thana- Excise P.S. District- Buxar

Chote Lal Chaudhary S/o- Laxman Chaudhary Village- Kamhariya Ps- Buxar
Muffassil Dist- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Kumar, Advocate

For the Opposite Party/s : Mr.Mohammad Sufyan, 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 Buxar
Excise P.S. Case No.71 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 38.600 liters of
illicit liquor has been recovered from the 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 by the police. He has no
concern with the alleged recovery. Both the seizure list witnesses
are police personnel which is complete violation of Section 100 of
Cr.P.C. A statement has been made in para 3 of the petition that



petitioner has no criminal antecedent. He is languishing in judicial custody since 21.02.2024.

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 Judge Excise Act-2, Buxar in connection with Buxar Excise P.S. Case No.71 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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