

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23613 of 2024

Arising Out of PS. Case No.-78 Year-2023 Thana- PUSA District- Samastipur

Chandan Kumar @ Chandan Ray Son of Raj Kumar Ray Resident of Village-
Mahmada, Police Station- Pusa, Dist.- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

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

ORAL ORDER

2 27-03-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks regular bail in connection with
Pusa Police Station Case No. 78 of 2023 registered for the
offence under Section 30(a) of the Bihar Prohibition and Excise
Act.

3. Allegation is of recovery of total 1269.480 liters of
liquor from bush.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Nothing has been recovered from the possession of



the petitioner. He further submits that petitioner was not arrested at the spot and he is in custody since 11.02.2024. Similarly situated co-accused person has already been granted bail by a coordinate Bench of this Court vide order dated 16.10.2023 passed in Cr. Misc. No. 63987 of 2023.

5. However, learned APP for the State vehemently opposed the prayer for regular bail.

6. On perusal of FIR, impugned order dated 01.03.2024 and seizure list, it appears that there is no independent witness of the seizure list. Considering the aforesaid facts and circumstances of the case, let the petitioner, abovenamed, 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 learned Special Excise Judge – 01, Samastipur in connection with Pusa P.S. Case No. 78 of 2023.

7. The trial court is directed to conclude the proceeding of framing of charge according to law within a period of 15 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 the above conditions and he shall be present physically on each



and every date before the trial court till conclusion of proceeding of framing of charge.

(Ramesh Chand Malviya, J)

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