

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24640 of 2024

Arising Out of PS. Case No.-755 Year-2023 Thana- TAJPUR District- Samastipur

Angad Kumar @ Angat Kumar, Male, aged about 28 years, SON OF Dinesh Thakur RESIDENT OF VILLAGE- KASBE AHAR, PS- TAJPUR, DIST- SAMASTIPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Singh

For the Opposite Party/s : Mr.Rabindra Kumar

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 Tajpur P.S. Case No.755 of 2023 registered for the offence under Sections 30(a), 41(i), 41(ii) of the Bihar Prohibition and Excise Act.

3. As per FIR, there is recovery of 784.8 litre of illicit liquor from an Orchard.

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



rather the same was recovered from orchard, which is accessible to general public. It is further submitted that the petitioner has no concern with the alleged recovery of illicit liquor as well as place of recovery. It is submitted that seizure list appears doubtful being not supported by independent witnesses, rather by police personnels. It is further submitted that the petitioner is in custody since 14.02.2024.

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 Tajpur P.S. Case No.755 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 Judge (Excise)-02, Samastipur.

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)

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