

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24590 of 2024**

Arising Out of PS. Case No.-285 Year-2024 Thana- Excise P.S. District- Gaya

BABLU KUMAR SON OF BHUNESHWAR YADAV RESIDENT OF
VILLAGE - CHORDAHA, POLICE STATION - CHAUPARAN, DISTRICT
- HAZARIBAG (JHARKHAND)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Akash Kumar Mishra
For the Opposite Party/s : Mr.Shyam Bihari Singh

**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
Excise Gaya P.S. Case No.285 of 2024 registered for the offence
under Sections 30(a) and 32(3) of the Bihar Prohibition and
Excise Act.

3. As per FIR, there is recovery of 63.750 litre
of illicit liquor from a motorcycle.

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 as well as vehicle in question. 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 26.02.2024.

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 Excise Gaya P.S. Case No.285 of 2024 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 Excise Court No.3, Gaya.

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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