

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24073 of 2024

Arising Out of PS. Case No.-40 Year-2024 Thana- ROSHANGANJ District- Gaya

Arun Kumar Chaudhary SON OF Umesh Chaudhary Resident Village -Jondhi
PS -Bankebazar Bankey Bazar Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yogesh Kumar
For the Opposite Party/s : Mr. Veena Kumari Jaiswal

**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
Raushanganj (Bankebazar) P.S. Case No. 40 of 2024 registered
for the offence under Section 30(a) of the Bihar Prohibition and
Excise Act.

3. As per allegation in the FIR, it is a case of recovery
of total 55 liters of illicit liquor from the possession of the
petitioner.



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 the petitioner has no criminal antecedent as stated in para 3 of the application and petitioner is in custody since 16.02.2024.

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

6. On perusal of FIR and impugned order dated 29.02.2024 passed by learned Exclusive Excise Court No. 2, Gaya 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 Exclusive Excise, Court No. 3, Gaya in connection with Raushanganj (Bankebazar) P.S. Case No. 40 of 2024.

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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