

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23927 of 2024

Arising Out of PS. Case No.-119 Year-2023 Thana- SAKATPUR District- Darbhanga

Amresh Singh @ Amresh Kumar Singh, aged about 23 years, Male Son of
Sushil Singh, Resident of Village - Rajakharwar, P.S. - Sakatpur, District –
Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saurav Anand, Advocate

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, APP

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

ORAL ORDER

2 19-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Sakatpur P.S. Case No. 119 of 2023 instituted for the offences
punishable under Section 30(a) of the Bihar Prohibition and
Excise Act, 2018.

3. As per the prosecution case, recovery of 135 liters
of Nepali Liquor has been recovered from a tempo.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence and has
falsely been implicated in this case. Nothing has been recovered



from the conscious possession of the petitioner. Petitioner is neither the owner nor the driver of the seized tempo. Petitioner is in custody since 24.01.2024.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR and the impugned order of the learned Exclusive Special Judge-II (Excise Act), Darbhanga dated 28.02.2024, it appears that the seized articles have been recovered from the tempo. Petitioner is neither the owner nor the driver of the seized tempo. Similarly situated co-accused person namely, Santosh Kumar Mahto @ Santosh Mahto has been granted bail by this Court in Cr. Misc. No. 11683 of 2024 vide order dated 23.02.2024, accordingly the prayer for bail of the petitioner is allowed. Let the petitioner above named 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 Exclusive Special Judge-II (Excise Act) Darbhanga in connection with Sakatpur P.S. Case No. 119 of 2023.

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)

Anand Kr.

U		T	
---	--	---	--

