

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26343 of 2024

Arising Out of PS. Case No.-140 Year-2023 Thana- MOTIHARI MUFASIL District- East
Champaran

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Lalu Giri Son Of Pundev Giri @ Ramdev Giri Village -MADHUBANI Ghat,
Police Station- Muffasil, District -EAST Champaran, Motihari

... .. Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Prasad, Advocate
For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap, APP

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CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

2 08-04-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks regular bail in connection with
Motihari Muffasil P.S. Case No. 140 of 2023 registered for the
offence under Section 30(b), 32 and 41(i) of the Bihar
Prohibition and Excise Act.

3. As per allegation in the FIR, it is a case of recovery
of total 3000 liters of illicit semi made wine from
Madhubanighat near bank of river Budhi Gandak.

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 there is no
independent witness of the seizure list and the petitioner is in



custody since 22.01.2024.

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

6. Considering the aforesaid facts and circumstances of the case, 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 learned Exclusive Special Excise Judge – 1, East Champaran at Motihari in connection with Motihari Muffasil P.S. Case No. 140 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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