

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27312 of 2024

Arising Out of PS. Case No.-523 Year-2022 Thana- BHAGWAN BAZAR District- Saran

Nand Kishor Mahto @ Nand Kishor Manjhi, Male, aged about 26 years, S/o-
Satyadev Mahto @ Satyadeo Chaudhari Village- Jantola Bintoliya Ps-
Rivilganj Dist- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar

For the Opposite Party/s : Mr.Md. Matloob Rab

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 10-04-2024

Heard learned counsel appearing on behalf

of the parties.

2. The petitioner seeks bail in connection with Bhagwan Bazar P.S. Case No.523 of 2022 registered for the offence under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per FIR, there is recovery of 200.69 litre of illicit liquor from an orchard situated in Village – Ajayabganj.

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 an orchard. 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 petitioner is in custody since 17.01.2024.

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 Bhagwan Bazar P.S. Case No.523 of 2022 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge 2nd -cum- 1st Exclusive Special Judge Excise, Saran at Chapra.

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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