

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24915 of 2024

Arising Out of PS. Case No.-46 Year-2024 Thana- Excise P.S. District- Madhubani

Manish Kumar Son of Indra Kumar Yadav Resident of Village- Yogiya, Ward
No. 2, P.S.- Ladaniya, Dist.- Madhubani

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Jha

For the Opposite Party/s : Mr. Gauri Shankar Gupta

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

2 03-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with
Excise P.S. Case No. 46 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 342.00 liters of Nepali country made liquor from inside Tata
Indica Car bearing registration No. BRIAG-6980.

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
seizure list and the petitioner is in custody since 17.02.2024.

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 Additional Sessions Judge – II – cum - Special Judge, Excise Act, Madhubani in connection with Excise P.S. Case No. 46 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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