

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25092 of 2024

Arising Out of PS. Case No.-641 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Nawada

=====

Mohit Kumar, aged about 24 years, Male, Son of Aashish Singh @
Ramashish Sharma, Resident of Village - Marchoe, P.S. - Satgama, District -
Kodarma (Jharkhand).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh, Advocate

For the Opposite Party/s : Mr. Mohammed Arif, APP

=====

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 bail in connection with
Prosecution Report G.O. No. 641 of 2021 instituted for the
offences punishable under Sections 30(a) and 56(b) of the Bihar
Prohibition and Excise Act, 2016.

3. As per the prosecution case, there is total recovery
of 120 piece each having 375 ml Imperial Blue Foreign liquor
from a four wheeler vehicle bearing Registration No. BR02AQ-
3619.

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 due to dirty village politics. Nothing has been recovered from the conscious possession of the petitioner. Petitioner is in custody since 21.02.2024.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR, search cum seizure list and the impugned order of the learned I/C Exclusive Special Excise Court-2, Nawada dated 01.03.2024, it appears that total 375 ml Imperial Blue Foreign liquor has been recovered from a four wheeler vehicle. Petitioner has not been caught at the spot and there is no any independent witness of the seizure list, 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 Excise Judge-2nd, Nawada in connection with Prosecution Report G.O. No. 641 of 2021.

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	
---	--	---	--

