

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30501 of 2024

Arising Out of PS. Case No.-1 Year-2024 Thana- BHELDI District- Saran

Surendra Singh, Male, aged about 32 years, Son of Ran Singh Resident of vill.-Gorarh, P.S.-Kharkhoda, Distt.-Sonipat (Hariyana)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No 13
For the Opposite Party/s : Mr.Sharda Kumari

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 22-04-2024 Heard learned counsel appearing on behalf of the parties.

2. The petitioner seeks bail in connection with Bheldi P.S. Case No.01 of 2024 registered for the offence under Sections 188, 272, 273 of the Indian Penal Code and Sections 30(a), 32, 36, 47 of the Bihar Prohibition and Excise Act.

3. As per FIR, there is recovery of total 7107.12 litre of illicit liquor from a truck bearing registration no.RJ14GE4632.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner has falsely been implicated in the present case. 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 a truck, where, this petitioner is driver of the said vehicle and he has no knowledge about the illegal consignment of illicit liquor. 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 02.01.2024.

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 Bheldi P.S. Case No.01 of 2024 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court, Saran at Chapra with condition that one of the bailors of the petitioner shall be close relative of the petitioner and the same shall be verified by the learned trial court itself, before accepting the bail bonds of the petitioner.

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 after release on bail the petitioner have to present physically on each and every date before the Trial Court till conclusion of trial and if the petitioner would absent for two consecutive dates without any cogent reason, the bail bonds of the petitioner shall be cancelled by the learned trial court itself.

(Ramesh Chand Malviya, J)

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