

Arising Out of PS. Case No.-336 Year-2023 Thana- DARBHANGA SADAR District-
Darbhanga

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

For the Petitioner/s : Mr.Saurav Anand
For the Opposite Party/s : Mr.Meena Singh

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 19-04-2024

Heard learned counsel appearing on behalf

of the parties.

2. The petitioner seeks bail in connection with Sadar P.S. Case No.336 of 2023 registered for the offence under Sections 420, 467, 468, 471, 34, 120B of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, upon secret information, the police upon knowledge that accused persons are selling liquor under the leadership of one Alamgir raided the place where 10 wheeler truck was present. Altogether 667.26 litres of foreign liquor was recovered/seized.

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. It is submitted that similarly situated co-accused persons have already been granted bail by this Court through Cr. Misc. No.14792 of 2024 and Cr. Misc. No.14787 of 2024 on 05.03.2024. It is further submitted that petitioner is in custody since 30.01.2024.

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 Sadar P.S. Case No.336 of 2023 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 Judge-I(Excise Act), Darbhanga..

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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