

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27124 of 2024

Arising Out of PS. Case No.-27 Year-2024 Thana- PANJWARA District- Banka

Rahul Kumar, Male, aged about 29 years, Son of Late Mukesh Kumar @
Mukesh Bihari, Resident of Village- Dubouni, P.S.- Amarpur, District- Banka.
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhav Raj, Advocate

For the Opposite Party/s : Mr. Mukesh Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 10-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Panjwara P.S. Case No. 27 of 2024 instituted for the offences
punishable under Section 30(a) of the Bihar Prohibition and
Excise Act.

3. As per the prosecution case, total 81 liters of illicit
foreign made liquor has been recovered from a Scorpio vehicle.

4. Learned counsel for the petitioner submits that the
petitioner is innocent has committed no offence and has falsely
been implicated in this case only on the basis of ulterior motive
and grudge. Petitioner has no concern with the alleged liquor
and nothing has been recovered from the conscious possession
of the petitioner. Petitioner is in custody since 14.03.2024.

5. Learned APP opposes the prayer for bail.



6. From perusal of the FIR and the impugned order of the learned Additional District and Sessions Judge-V, Banka dated 19.03.2024, it appears that the petitioner has implicated in this case only on the basis of suspicion and no 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 Additional District and Sessions Judge-V, Banka in connection with Panjwara P.S. Case No. 27 of 2024.

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)

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