

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26362 of 2024

Arising Out of PS. Case No.-25 Year-2024 Thana- KORMA District- Sheikhpura

Manikant Ram S/O Mahesh Ram RESIDENT OF VILLAGE MURARPUR
POLICE STATION KORMA DISTRICT SHEIKHPURA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nilendu Kumar Choudhary, Advocate
For the Opposite Party/s : Mr.Nitya Nand Tiwary, APP

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

ORAL ORDER

2 08-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Korma
P.S. Case No. 25 of 2024 instituted for the offences punishable
under Section 30(a) of Bihar Prohibition and Excise
(Amendment) Act.

3. As per the prosecution case, petitioner was
apprehended on the spot with a motorcycle while another person
managed to escape and from the said motorcycle, total 37.5
liters of country made liquor was recovered.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He has



falsely been implicated in this case. Neither he has any concern with the alleged recovered liquor nor the alleged motorcycle belongs to him. Nothing incriminating article has been recovered from his conscious possession. Both the seizure list witnesses are police personnel which is complete violation of Section 100 of Cr.P.C. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. He is languishing in judicial custody since 24.02.2024.

5. Learned APP for the State has vehemently opposed the prayer for bail.

6. Considering the facts and circumstances of the case and submissions made on behalf of the petitioner as well as period of custody of the petitioner, let the above named petitioner 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, Sheikhpura in connection with Korma P.S. Case No.25 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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