

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27807 of 2024

Arising Out of PS. Case No.-309 Year-2023 Thana- KOCHAS District- Rohtas

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Pintu Rai @ Pintu Chaudhary @ Pintu Kumar, Male, Aged about 41 years,
S/O Kalika Rai @ Kalika Chaudhary R/O Village- Kanjar, P.S.- Kochas,
District- Rohtas(Sasaram).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Saroj Kumar, Advocate

For the Opposite Party/s : Mr.Anant Kumar 1, APP

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

ORAL ORDER

2 15-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Kochas
P.S. Case No. 309 of 2023 instituted for the offences punishable
under Section 30(a)(c) of Bihar Prohibition and Excise
(Amendment) Act.

3. As per the prosecution case, total 16.70 liters of
illicit foreign liquor has been recovered from the house of
apprehended co-accused Mantu Kumar Mallah.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He has
falsely been implicated in this case due to dirty village politics
and his criminal antecedents. He has no concern with the



alleged recovery. Neither the petitioner was arrested on the spot nor any incriminating article has been recovered from his conscious possession or from his house. His name has been disclosed by the apprehended co-accused. Both the seizure list witnesses are police personnel which is complete violation of Section 100 of Cr.P.C. Petitioner is languishing in judicial custody since 27.02.2024.

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 Court no. 2-cum-Additional District and Sessions Judge, Rohtas at Sasaram in connection with Kochas P.S. Case No. 309 of 2023.

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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