

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26903 of 2024

Arising Out of PS. Case No.-25 Year-2024 Thana- Excise P.S. District- Madhubani

Hira Rai @ Heera Mandal @ Hiralal Rai son of Nageshwar Ray @ Nagesar Ray R/o- Siswar,Ps- Phulparas, Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Bharti, Advocate

For the Opposite Party/s : Mr.Md. Iftekhar Mahmood, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 09-04-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Jhanjharpur Excise P.S. Case No. 25 of 2024 instituted for the offences punishable under Sections 30(a), 32(i), 32(iii) of Bihar Prohibition and Excise Amendment Act.

3. As per the prosecution case, total 1123.200 liters of illicit liquor has been recovered from *dalan* of the petitioner.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. He has falsely been implicated in this case. He has no concern with the alleged recovery. The alleged recovery was made in the joint house of the petitioner. Nothing incriminating article has been recovered from his conscious possession. Petitioner is languishing



in judicial custody since 06. 2.2024.

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 Special Judge, Excise Act, Jhanjharpur, Madhubani in connection with Jhanjharpur Excise 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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