

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26190 of 2024

Arising Out of PS. Case No.-244 Year-2019 Thana- LALGANJ District- Vaishali

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Guddu Rai S/o- Rambabu Rai R/o Vill- Khargauliya, Khajauli, P.S- Lalganj,
Dist- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prakash Chandra Jha, Advocate
For the Opposite Party/s : Mr. Md. Shakir Ahmad, APP

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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 regular bail in connection with
Lalganj Police Station Case No. 244 of 2019 registered for the
offence under Section 414 of IPC and Sections 30(a), 32(2),
41(1) of the Bihar Prohibition and Excise Act.

3. It is a case of recovery of total 216.885 liters of
country made liquor from the hut of present petitioner situated
near bank of Gandak River.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Nothing has been recovered from the possession of
the petitioner. He further submits that there is no independent
witness of the seizure list and the petitioner is in custody since
17.01.2024.



5. However, learned APP for the State vehemently opposed the prayer for regular bail.

6. Considering the aforesaid facts and circumstances of the case, 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 learned Exclusive Special Excise court No. 1 – cum – Additional District and Sessions Judge, Vaishali at Hajipur in connection with Lalganj P.S. Case No. 244 of 2019.

7. The trial court is directed to conclude the proceeding of framing of charge according to law within a period of 15 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 the above conditions and he shall be present physically on each and every date before the trial court till conclusion of proceeding of framing of charge.

(Ramesh Chand Malviya, J)

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