

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27787 of 2024

Arising Out of PS. Case No.-683 Year-2020 Thana- SONEPUR District- Saran

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Lala @ Raushan Maharaj @ Gaggan Kumar Maharaj Son of Late Siya Ram
Maharaj Residence of Village- Kharika, P.S.- Sonpur, Dist.- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rakesh Bihari Singh, Advocate

For the Opposite Party/s : Ms.Asha Kumari, 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 Sonpur
(Pahleja O.P.) P.S. Case No. 683 of 2020 instituted for the offences
punishable under Sections 30, 30(a), 38 and 41 of Bihar
Prohibition and Excise Act.

3. As per the prosecution case, total 328.197 liters of
illicit foreign liquor has been recovered from the house 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. Neither the petitioner was arrested on the spot
nor any incriminating article has been recovered from his
conscious possession. The alleged house of the petitioner is a joint



house property. Petitioner is languishing in judicial custody since 07.03.2024.

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 2nd Exclusive Special Excise Judge, Saran at Chapra in connection with Sonpur (Pahleja O.P.) P.S. Case No. 683 of 2020.

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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