

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28952 of 2024

Arising Out of PS. Case No.-64 Year-2024 Thana- SIRDALA District- Nawada

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Ramswarup Yadav Son of Late Sohrai Yadav Resident of Village- Jehlibigha,
Police Station- Fatehpur, District-Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Deepak Kumar
For the Opposite Party/s : Ms. Pushpa Sinha

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CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

2 16-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with
Sirdalla P.S. Case No. 64 of 2024 registered for the offence
under Section 30(a) and 41 of the Bihar Prohibition and Excise
Act.

3. As per allegation in the FIR, it is a case of recovery
of total 120 liters of illicit country made liquor from two
motorcycles.

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 the petitioner has no
criminal antecedent as stated in paragraph 3 of the petition and
there is no independent witness of the seizure list. The petitioner



is in custody since 21.02.2024.

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, Nawada in connection with Sirdalla P.S. Case No. 64 of 2024.

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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