

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 29061 of 2024**

Arising Out of PS. Case No.-85 Year-2024 Thana- NADI P.S. District- Patna

Sanjay Kumar, aged about 39 years, Gender-Male, Son of Mahendra Prasad,
Resident of Village- Alampur, P.S.- Nadi, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad, Advocate
For the Opposite Party/s : Mr. Shyam Bihari Singh, APP

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

ORAL ORDER

2 18-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Nadi
P.S. Case No. 85 of 2024 instituted for the offences punishable
under Section 30 (a) of the Bihar Prohibition and Excise
Amendment Act, 2022.

3. As per the prosecution case, total recovery of 25
liters of liquor has been recovered from the possession of the
petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence and has
falsely been implicated in this case. Petitioner is named in the



FIR and the police without investigate the real fact implicated the petitioner on the basis of suspicion. Petitioner is in custody since 14.03.2024.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR and the impugned order of the learned Exclusive Special Court of Excise, Patna City dated 18.03.2024, it appears that the seized articles have been recovered from the possession of the petitioner but there is no any independent witness of the seizure list, accordingly the prayer for bail of the petitioner is allowed. 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 the learned Special Judge, Excise, Patna City in connection with Nadi P.S. Case No. 85 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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