

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28842 of 2024

Arising Out of PS. Case No.-71 Year-2024 Thana- DHAKA District- East Champaran

Sumit Kumar Son Of Rambhu Sah Resident Of Village - Nonpharwa, P.S. -
Patahi, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

For the Opposite Party/s : Mr. Awadhesh Kumar Singh, APP

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
Dhaka (Pachpakari) P.S. Case No. 71 of 2024 registered for the
offence under Section 414 of the IPC and Section 30(a), 41(i)
of the Bihar Prohibition and Excise Act.

3. As per allegation in the FIR, it is a case of recovery
of total 180 liters of Nepali liquor from three 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 there is no
independent witness of the seizure list and the petitioner is in
custody since 19.02.2024.

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, Motihari, East Champaran in Dhaka (Pachpakari) P.S. Case No. 71 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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