

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33782 of 2024

Arising Out of PS. Case No.-324 Year-2023 Thana- JAYNAGAR District- Madhubani

1. Vikash Kumar Singh @ Vikash Singh (Male), Aged 25 years, Son Of Umesh Kumar Singh @ Umesh Singh, Resident Of Village- Laskariya P.S.- Jaynagar, District- Madhubani
2. Shambhu Sahani (Male), Aged about 26 years, Son Of Ajay Sahani, Resident Of Village- Laskariya, P.S.- Jaynagar, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Pandey, Advocate
For the Opposite Party/s : Mr.Pradeep Narain Kumar, APP

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

ORAL ORDER

2 21-05-2024 Heard learned counsel appearing on behalf of the parties.

2. The petitioners seek bail in connection with Jaynagar P.S. Case No. 324 of 2023, registered for the offence under Sections 272, 273, 414, 420, 467, 468, 472/34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per FIR, there is recovery of 765 litres of illicit wine from the Sumo Victa Vehicle.

4. Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. They have falsely been implicated in the



present case only on the basis of disclosure of local chaukidar. They have no concern with the alleged recovery of liquor as well as vehicles in question. Neither the petitioners were arrested on the spot nor any incriminating article has been recovered from their conscious possession. The seizure list appears doubtful being not supported by independent witnesses, rather by police personnel. The other co-accused namely, Vivek Singh has already been granted bail by this Court vide order dated 22.02.2024 passed in Cr. Misc. No. 11118 of 2024. Moreover, petitioner no. 1 is in judicial custody since 13.02.2024 and petitioner no.2 is in judicial custody since 17.02.2024.

5. Learned APP appearing for the State, opposes the prayer for bail of the petitioners.

6. Considering the facts and circumstances and submissions made on behalf of the petitioners, let the petitioners, above named, are directed to be released on bail, ***after framing of the charge***, in connection with Jaynagar P.S. Case No. 324 of 2023, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned A.D.J.II-cum-Special Judge, Excise Act, District-Madhubani.



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 above named petitioners shall be released on bail on furnishing bail bond with further condition that the petitioners have to present physically on each and every date before the Trial Court till conclusion of the proceeding of framing of charge.

(Ramesh Chand Malviya, J)

lata/-

U		T	
---	--	---	--

