

Arising Out of PS. Case No.-195 Year-2023 Thana- VIDYAPATINAGAR District-Samastipur

PRASHANT KUMAR S/O SRI RAMPRIT RAI @ RAMPRIT YADAV R/O
VILLAGE- BANGRAHA, P.S- VIDYAPATI NAGAR, DISTT.-
SAMASTIPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vaishnavi Singh
For the Opposite Party/s : Mr.Anil Prasad Singh

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 19-04-2024 Heard learned counsel appearing on behalf
of the parties.

2. The petitioner seeks bail in connection with Vidyapati Nagar P.S. Case No.195 of 2023 registered for the offence under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per FIR, there is recovery of 1134 litre of illicit liquor from the husk house of the petitioner.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner has falsely been implicated in the present case. It is submitted that recovery of alleged illicit liquor was not made from conscious physical



possession of the petitioner rather the same was recovered from husk house of Nand Kumar Singh. It is further submitted that the petitioner has no concern with the alleged recovery of illicit liquor as well as place of recovery. It is submitted that similarly situated co-accused person has already been granted bail by this Court through Cr. Misc. No.24058 of 2024 on 27.03.2024. It is further submitted that petitioner is in custody since 05.03.2024.

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

6. Considering the facts and circumstances and submissions made on behalf of the petitioner, let the petitioner, above named, is directed to be released on bail, ***after framing of the charge***, in connection with Vidyapati Nagar P.S. Case No.195 of 2023 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise-1, Samastipur.

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 petitioner shall be



released on bail on furnishing bail bond with further condition that the petitioner 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)

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