

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29994 of 2024

Arising Out of PS. Case No.-234 Year-2023 Thana- DHANAHA District- West Champaran

Jahid Ali, Male, aged about 34 years, Son of Yusuf Ali Resident of Village-
Udaypur Panchayat Mahui, P.S.- Aaspur Devsarai, District- Pratapgrah (U.P.)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anand Kishore Choudhary

For the Opposite Party/s : Mr. Suresh 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
Dhanaha P.S. Case No.234 of 2023 registered for the offence
under Sections 420, 467, 468, 471, 120B/34 of the Indian Penal
Code and Section 30(a) and 41(1) of the Bihar Prohibition and
Excise Act.

3. As per FIR, there is recovery of 4462 litre of
illicit liquor from a truck.

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 and he has no concern with the alleged recovery of illicit liquor as well as vehicle in question. It is submitted that similarly situated co-accused person has already been granted bail by this Court through Cr. Misc. No.16857 of 2024 on 11.03.2024. It is further submitted that petitioner is in custody since 29.11.2023.

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 Dhanaha P.S. Case No.234 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 Special Judge Excise, Bagaha, West Champaran.

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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