

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.29804 of 2024**

Arising Out of PS. Case No.-21 Year-2024 Thana- Excise P.S. District- East Champaran

RAJ KUMAR, MALE, AGED ABOUT 23 YEARS, SON OF KAMAL  
SINGH RESIDENT OF VILLAGE - JAISINGHPUR, WARD NO. 5, P.S. -  
TURKAULIYA, DISTRICT - EAST CHAMPARAN, MOTIHARI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Rajesh Kumar

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap

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

ORAL ORDER

2      18-04-2024                      Heard learned counsel appearing on behalf  
of the parties.

2.            The petitioner seeks bail in connection with  
Excise (Areraj) P.S. Case No.21 of 2024 registered for the  
offence under Section 30(a) of the Bihar Prohibition and Excise  
Act.

3.            As per FIR, there is recovery of total 69.12  
litre of illicit liquor from the possession 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 and he has no concern with the alleged recovery of illicit liquor. It is submitted that seizure list appears doubtful being not supported by independent witnesses, rather by police personnels. It is also submitted that similarly situated co-accused person has already been granted bail by this Court through Cr. Misc. No.27698 of 2024 on 09.04.2024. It is further submitted that petitioner is a man of clean antecedent and he is in custody since 09.02.2024.

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 Excise (Areraj) P.S. Case No.21 of 2024 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 Excise Court No.2, East Champaran, Motihari.

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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