

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30862 of 2024

Arising Out of PS. Case No.-52 Year-2024 Thana- KUCHAIKOTE District- Gopalganj

Sushil Son of Lachhi Ram Resident of Village- Bandhur Khurd, P.S.- Vimar,
Dist.- Hamirpur (Uttar Pradesh)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivnandan Bharti

For the Opposite Party/s : Mr. Madan Kumar

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

2 23-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with
Kuchaikote Police Station Case No. 52 of 2024 registered for
the offence under Section 30(a) of the Bihar Prohibition and
Excise Act.

3. Allegation is of recovery of total 90.00 liters of
illicit country made spirit from the possession of the petitioner.

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 the petitioner was arrested
in running condition on the spot. Petitioner is in custody since
04.02.2024.

5. However, learned APP for the State vehemently



opposed the prayer for regular bail.

6. Considering the aforesaid facts and circumstances of the case and submissions made on behalf of the petitioner, 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 Additional District & Sessions Judge -IV- cum - Exclusive Special Excise Court No. - II, Gopalganj in connection with Kuchaikote P.S. Case No. 52 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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