

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30791 of 2024

Arising Out of PS. Case No.-79 Year-2024 Thana- Excise P.S. District- Siwan

1. Pintu Kumar S/o Late Deeplal Sah R/O VILLAGE - DUMARSAN, P.S. - MASHARAKH, DISTRICT - SARAN
2. Prince Prasad @ Prince Kumar S/o Gore Lal Yadav R/o vill - Durganagar, P.S. - Giriyak, Distt. - Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh

For the Opposite Party/s : Mr. Nitya Nand Tiwary

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

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

2. The petitioners seek regular bail in a case registered for the offence under Section 30(a) of the Bihar Prohibition and Excise Act.

3. Allegation is of recovery of total 227.250 liters of illicit Indian made foreign liquor from inside the car bearing registration No. UP32CY-4867.

4. Learned counsel for the petitioner submits that the petitioners are innocent and have falsely been implicated in the present case. Nothing has been recovered from the possession of the petitioners. He further submits that the petitioners are driver and co-driver of the said vehicle and there is only witness of seizure list. Petitioners are in custody since 11.02.2024 and they have no criminal antecedent as stated in para 3 of the application.



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 petitioners, let the petitioners, above named, be released on bail *after framing of charge* on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No. - II, Siwan in connection with Siwan Excise P.S. Case No. 79 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 petitioners shall be released on bail on the above conditions and they 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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