

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28836 of 2024

Arising Out of PS. Case No.-49 Year-2024 Thana- PHULWARIYA District- Gopalganj

Kedar Ram Son Of Late Prem Ram Resident Of Village- Phulwaria, P.S.-
Phulwaria, (FULWARIA), District - Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Braj Kishore Pd.(App)

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

2 16-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with
Phulwariya (Fulwariya) P.S. Case No. 49 of 2024 registered for
the offence under Section 30(a) of the Bihar Prohibition and
Excise Act.

3. As per allegation in the FIR, it is a case of recovery
of total 36 liters of illicit country liquor from motorcycle
bearing registration No. BR28J5812.

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 there is no
independent witness of the seizure list and the petitioner is in



custody since 03.02.2024.

5. However, learned APP for the State vehemently opposed the prayer for regular bail.

6. Considering the aforesaid facts and circumstances of the case, 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 Sessions Judge – XIII-cum-Special Judge, Excise Court No. 1, Gopalganj in connection with Phulwariya P.S. Case No. 49 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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