

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28947 of 2024

Arising Out of PS. Case No.-294 Year-2023 Thana- CHAKAI District- Jamui

Malay Mandal S/o Tapan Mandal R/o vill - Beliyator, P.S. - Beliyator, Distt. -
Bakur (W.B)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Sinha

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

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
Chakai P.S. Case No. 294 of 2023 registered for the offence
under Sections 279, 272, 273 of the IPC and Section 30(a) / 32 /
41 of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, the allegation against
the petitioner is that 1276.155 liters of foreign liquor were
recovered from petitioner's pickup bearing registration No. BR
06 GF 2089.

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 not
arrested on spot, he is the owner of the seized pickup van and



there is no independent witness of the seizure list. The petitioner is in custody since 23.01.2024.

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 Exclusive Judge (Excise) -1, Jamui in connection with Chakai P.S. Case No. 294 of 2023.

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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