

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30218 of 2024

Arising Out of PS. Case No.-102 Year-2024 Thana- Excise P.S. District- Siwan

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Tarkeshwar Singh S/o Late Swaminath Singh R/o vill - Koeri Tola, P.S. -
Nautan, Distt. - Siwan Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chandra Shekhar, Advocate

For the Opposite Party/s : Ms. Asha Devi, APP

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CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

2 22-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with
Siwan Excise P.S. Case No. 102 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
1047.960 liter country made liquor and whisky from inside
Scorpio bearing registration No. HR36K1757.

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 and he has no criminal antecedent as stated in
para 3 of the application. Petitioner is in custody since 23.02.2024.

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 parties, 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 Special Excise Court No. II, Siwan in connection with Siwan Excise P.S. Case No. 102 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 trial of this case and if the petitioner remain absent on two consecutive dates without any cogent reason, the bail bonds of the petitioner shall be cancelled by the trial Court itself.

(Ramesh Chand Malviya, J)

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