

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29976 of 2024

Arising Out of PS. Case No.-96 Year-2024 Thana- BAHADURPUR District- Darbhanga

Suraj Kumar, Aged about 20 years, Male, Son of Vijay Kumar Singh,
Resident of Village - Jagdishpur, Police Station - Pusa, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar, Advocate

For the Opposite Party/s : Ms.Sangeeta Sharma, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 18-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Bahadurpur P.S. Case No. 96 of 2024 instituted for the offences
punishable under Sections 30(a), 38 and 41 of Bihar Prohibition
and Excise Amendment Act.

3. As per the prosecution case, petitioner along with
one other co-accused was apprehended on the spot with a car
and from the said car bearing registration No. BR10M3096,
total 155.520 liters of illicit foreign liquor was recovered.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He has
falsely been implicated in this case. He has no concern with the



alleged recovered liquor. As submitted by learned counsel for the petitioner that petitioner has no any concern with said car. Nothing incriminating article has been recovered from his conscious possession. Both the seizure list witnesses are police personnel which is complete violation of Section 100 of Cr.P.C. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. He is languishing in judicial custody since 05.03.2024.

5. Learned APP for the State has vehemently opposed the prayer for bail.

6. Considering the facts and circumstances of the case and submissions made on behalf of the petitioner as well as period of custody of the petitioner, let the above named petitioner 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 the learned Special Judge Ist Excise Act, Darbhanga in connection with Bahadurpur P.S. Case No. 96 of 2024.

7. The trial Court is directed to conclude the proceeding of framing of charge according to law within a period of 15 (fifteen) 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 above conditions and he shall be present physically on each and every date before the Trial Court till conclusion of the proceeding of framing of charge.

(Ramesh Chand Malviya, J)

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