

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30690 of 2024

Arising Out of PS. Case No.-87 Year-2024 Thana- ATHMALGOLA District- Patna

Raunak Kumar, Aged about 21 years, Gender-Male, Son of Navin Kumar R/o
Village- Karnauti, P.S.- Bakhtiyarpur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jay Ram Prasad, Advocate
For the Opposite Party/s : Mr.Narsingh Tanti, APP

**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 bail in connection with
Athmalgola P.S. Case No. 87 of 2024 instituted for the offences
punishable under Section 414 of the Indian Penal Code and
Section 30(a) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 13.5 liters of
I.M.F.L. was recovered from a motorcycle bearing registration
no. BR-01CC-9384 and two co-accused persons were
apprehended on the spot who disclosed the name of petitioner.

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 and motorcycle. Neither the petitioner was arrested on the spot nor any 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. Petitioner is languishing in judicial custody since 19.03.2024.

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 Exclusive Special Judge Excise, Barh in connection with Athmalgola P.S. Case No. 87 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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