

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30840 of 2024

Arising Out of PS. Case No.-337 Year-2024 Thana- PHULWARISHARIF District- Patna

Deepu Kumar @ Dipu Kumar son of Chandra Mohan Chaudhary Resident of
Damariya, Gardanibagh, Road No. 10, P.S.- Anishabad Phulwari, District-
Patna Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Chandra Bhaskar, Advocate

For the Opposite Party/s : Mr. Gauri Shankar Gupta, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

2 23-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in a case registered
for the offence under Sections 420, 467, 468, 471 and 120(b) of
the IPC and Section 30(a), 32(ii)(iii), 31, 41(i)(ii) of the Bihar
Prohibition and Excise Act.

3. Allegation is of recovery of total 495.64 liters of
foreign liquor from the house of co-accused, namely, Vishnu
Ojha.

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
on spot but said house does not belong to the petitioner and
there is no independent witness of the seizure list. Petitioner is



in custody since 05.03.2024.

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 Court of Exclusive Special Judge Excise 1, Patna in connection with Phulwari Sharif P.S. Case No. 337 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)

saaurabhkr/-

U		T	
---	--	---	--

