

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29350 of 2024

Arising Out of PS. Case No.-79 Year-2024 Thana- MANJHAGARH District- Gopalganj

Mintu Baitha @ Mintu Bhaitha, Male, aged about 45 years, Son of Punit Baitha Resident of village - Koini Babu Tola, Police Station - Manjhagarh, District - Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lokesh Kumar Singh

For the Opposite Party/s : Mr.Khurshid Anwar

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

ORAL ORDER

2 18-04-2024 Heard learned counsel appearing on behalf
of the parties.

2. The petitioner seeks bail in connection with Manjhagarh P.S. Case No.79 of 2024 registered for the offence under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per FIR, there is recovery of total 25 litre of illicit liquor from near the house of the petitioner.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner has falsely been implicated in the present case, where, petitioner was not arrested



on spot. It is submitted that recovery of alleged illicit liquor was not made from conscious physical possession of the petitioner rather the same was recovered from an open place, which is accessible to general public and he has no concern with the alleged recovery of illicit liquor. It is further submitted that petitioner is in custody since 11.03.2024.

5. Learned APP appearing for the State, opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances and submissions made on behalf of the petitioner, let the petitioner, above named, is directed to be released on bail, ***after framing of the charge***, in connection with Manjhagarh P.S. Case No.79 of 2024 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge – XIII-cum-Special Judge, Excise Court No.I, Gopalganj.

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 above named petitioner shall be released on bail on furnishing bail bond with further condition



that the petitioner have to present physically on each and every date before the Trial Court till conclusion of the proceeding of framing of charge.

(Ramesh Chand Malviya, J)

S.Katyayan/-

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

