

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31035 of 2024

Arising Out of PS. Case No.-101 Year-2024 Thana- Excise P.S. District- Aurangabad

Vinod Prasad @ Binod Prasad, age 60 years, Male, Son of Late Ram Kishun Prasad, Resident of Village - Jamhor, Ward No.- 13, P.S.- Jamhor, District - Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Mukul Kumari, Advocate

For the Opposite Party/s : Ms. Meena Singh, APP

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

ORAL ORDER

2 25-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Daudnagar Excise P.S. Case No. 101 of 2024 instituted for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act, 2018.

3. As per the prosecution case, total 74.880 liters of foreign liquor has been recovered from outside the house of Bhola Prasad.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence and has falsely been implicated in this case only on the basis of



suspicion. Petitioner has no any concern with the illicit liquor, in fact he has been arrested from the place of occurrence only on the basis of suspicion. Petitioner has got no criminal antecedent as stated in para 3 of the petition is in custody since 23.03.2024.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR and the impugned order of the learned Special Judge, Excise-II, Aurangabad Bihar dated 30.03.2024, it appears that there is no any independent witness of the seizure list, accordingly the prayer for bail of the petitioner is allowed. 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 the learned Special Judge Excise-II, Aurangabad in connection with Daudnagar Excise P.S. Case No. 101 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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