

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36336 of 2024

Arising Out of PS. Case No.-5 Year-2024 Thana- TEKARI District- Gaya

=====

Suraj Kumar @ Srikant Kumar Das Son of Rajnandan Das Resident of
Konch, Police Station- Konch, Dist.- Gaya

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Aryan Singh

For the Opposite Party/s : Mr.Yogendra Kumar Singh

=====

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

ORAL ORDER

2 21-05-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner is in custody in connection with

Tekari (Pura O.P) P.S Case No. 05 of 2024 registered for the

offences punishable under Sections 30(a) of the Bihar

Prohibition and Excise Amendment Act, 2022.

3. As per prosecution case, total 70 litre illicit

liquor was recovered from the dickey and bag of

motorcycle.

4. Learned counsel for the petitioner submits that

petitioner has falsely been implicated in this case. It is

further submitted that no incriminating article has been



recovered from the conscious possession of the petitioner. On perusal of seizure list there is no independent witness. It is next submitted that co-accused has already granted bail by Co-ordinate Bench of this court *vide* order dated 29.02.2024 passed in Cr. Misc. No. 14676 of 2024. It is also submitted that petitioner is in judicial custody since 03.01.2024 and he has got no criminal antecedent.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. On perusal of the FIR, impugned order and period of custody and also considering the aforesaid facts and circumstances of the case and submissions made on behalf of the petitioner, let the above named petitioner be released on bail ***after framing of the charge*** on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Excise Judge- 02, Gaya in connection with Tekari (Pura O.P) P.S Case No. 05 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 the proceeding of framing of charge.

(Ramesh Chand Malviya, J)

Mayank/-

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

