

Arising Out of PS. Case No.-35 Year-2024 Thana- Excise P.S. District- Samastipur

... .. Petitioner/s

Versus

... .. Opposite Party/s

For the Petitioner/s : Mr.Surya Roy
For the Opposite Party/s : Mr.Meena Singh

ORAL ORDER

2. The petitioner seeks bail in connection with
Excise P.S. Case No.35 of 2024 registered for the offence
Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per FIR, there is recovery of total 94.64 litre of illicit liquor from the possession of this petitioner.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner has falsely been implicated in the present case. It is submitted that recovery of alleged illicit liquor was not made from conscious physical possession of the petitioner and he has no concern with the alleged recovery of illicit liquor. It is submitted that seizure list



appears doubtful being not supported by independent witnesses, rather by police personnels. It is further submitted that petitioner is a man of clean antecedent and he is in custody since 10.03.2024.

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 Patory Excise P.S. Case No.35 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 Special Judge Excise Court - 02, Samastipur.

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)

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