

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29633 of 2024

Arising Out of PS. Case No.-131 Year-2024 Thana- Excise P.S. District- Kaimur (Bhabua)

Govind Chauhan, Male, aged about 22 years, SON OF LATE HIRALAL
NONIA @ LATE HIRALAL CHAUHAN RESIDENT OF VILLAGE-
BABHANI WARD NO. 2, PS- RAJPUR, DIST- BUXAR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Dr.Kamal Deo Sharma

For the Opposite Party/s : Ms. Sharda Kumari

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 Kaimur (Bhabua) Prohibition and Excise P.S. Case No.131 of 2024 registered for the offence under Section 30(a) and 32(3) of the Bihar Prohibition and Excise Act.

3. As per FIR, there is recovery of total 184.050 litre of illicit liquor from a magic van bearing registration no. BR44GA5585.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner has falsely been implicated in the present case, where, petitioner is driver of the alleged vehicle. 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 a pickup van and he 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 19.02.2024.

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 Kaimur (Bhabua) Prohibition and Excise P.S. Case No.131 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 Exclusive Special Judge, Excise-II, Kaimur at Bhabua.

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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