

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31208 of 2024

Arising Out of PS. Case No.-185 Year-2024 Thana- MOHANIYA District- Kaimur (Bhabua)

Gurprit Singh SON OF JASVIR SINGH Village - SIMBARON, PS-
PARSON, DIST- PATIYALA (PUNJAB)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sarfraz Ahmad

For the Opposite Party/s : Mr.Anita Kumari

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

ORAL ORDER

2 23-04-2024 Heard learned counsel appearing on behalf
of the parties.

2. The petitioner seeks bail in connection with
Mohania P.S. Case No.185 of 2024 registered for the offence
under Section 414 of the Indian Penal Code and Section 30(a)
and 32 of the Bihar Prohibition and Excise Act.

3. As per FIR, there is recovery of total 2223
litre of illicit liquor from a truck bearing registration No.
PB11DC3551.

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 rather the same was recovered from a truck, where, petitioner was a driver of the said truck and he has no knowledge about the illegal consignment 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 23.03.2024.

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 Mohania P.S. Case No.185 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 No.1, Kaimur at Bhabua, subject to the condition that one of the bailors of the petitioner shall be close relative of the petitioner and same shall be verified by the learned trial court before accepting the bail bonds of the petitioner.

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 trial and if the petitioner would absent for two consecutive dates without any cogent reason, the bail bonds of the petitioner shall be cancelled by the learned trial court itself.

(Ramesh Chand Malviya, J)

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