

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30364 of 2024

Arising Out of PS. Case No.-112 Year-2024 Thana- BYPASS District- Patna

NAND KUMAR RAY SON OF SHANKAR RAY RESIDENT OF VILLAGE
- BARWAY, POLICE STATION - DARIYAPUR, DISTRICT - SARAN
(CHAPRA)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad
For the Opposite Party/s : Mr. Sanjay Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 22-04-2024 Heard learned counsel appearing on behalf
of the parties.

2. The petitioner seeks bail in connection with Bypass P.S. Case No.112 of 2024 registered for the offence under Sections 414/34/120B of the Indian Penal Code and Section 30(a) and 41(i) of the Bihar Prohibition and Excise Act.

3. As per FIR, there is recovery of total 812.16 litre of illicit liquor from different vehicles.

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 truck in question. 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 20.03.2024.

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 Bypass P.S. Case No.112 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 Patna City, Patna.

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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