

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30005 of 2024

Arising Out of PS. Case No.-267 Year-2023 Thana- MOHAMMADPUR District- Gopalganj

Pradeep Kumar@ Pradip Kumar, Male, aged about 23 years, SON OF Surendra Kumar Kushwaha RESIDENT OF VILLAGE- WARD NO. 10, JOGAULIYA, PS- MADHUBAN, DIST- EAST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepankar Raj

For the Opposite Party/s : **Mr.Suresh Prasad Singh**

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

ORAL ORDER

2 19-04-2024

Heard learned counsel appearing on behalf

of the parties.

2. The petitioner seeks bail in connection with Mohammadpur P.S. Case No.267 of 2023 registered for the offence under Section 30(a), 41 and 48 of the Bihar Prohibition and Excise Act.

3. Allegation against the petitioner is to have engaged in illegal trade of illicit liquor and there is recovery of total 1028.100 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 was not arrested.



on spot, his name surfaced on the basis of confessional statement of other co-accused person. 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 similarly situated co-accused persons have already been granted bail by this Court through Cr. Misc. No.85630 of 2023 on 15.02.2024 and Cr. Misc. No.805 of 2024 on 16.01.2024. It is further submitted that petitioner is in custody since 23.02.2024.

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 Mohammadpur P.S. Case No.267 of 2023 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-XIII-cum-Special Judge Excise-I, Gopalganj.

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)

S.Katyayan/-

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

