

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30698 of 2024

Arising Out of PS. Case No.-38 Year-2024 Thana- CHHAURADANO District- East
Champaran

-
1. Mukesh Kumar @ Mukesh Sahani, Aged about 32 years (M), Son of Radheshyam Sahani, Resident of Village-Ajagarwa, P.S.- Lakhaura, Dist.- East Champaran
 2. Sheo Kumar Sahani, Aged about 39 years (M), Son of Shankar Sahani, Resident of Village-Ajagarwa, P.S.- Lakhaura, Dist.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sharad Kumar Verma, Advocate
For the Opposite Party/s : Ms.Anita Kumari, APP

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

ORAL ORDER

2 22-04-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in connection with Chhauradano P.S. Case No. 38 of 2024 instituted for the offences punishable under Section 414 of the Indian Penal Code and Section 30(a) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, both the petitioners were apprehend on the spot and from a motorcycle bearing registration no. BR22H8976, total 15 liters of illicit country made liquor was recovered in their presence.

4. Learned counsel for the petitioners submits that



petitioners are innocent and have committed no offence. They have falsely been implicated in this case. They have no concern with the alleged recovered liquor and motorcycle. Nothing incriminating article has been recovered from their conscious possession. Petitioners are languishing in judicial custody since 23.02.2024.

5. Learned APP for the State has vehemently opposed the prayer for bail.

6. Considering the facts and circumstances of the case and submissions made on behalf of the petitioners as well as period of custody of the petitioners, let the above named petitioners be released on bail *after framing of charge* on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No.2, Motihari, East Champaran in connection with Chhauradano P.S. Case No. 38 of 2024.

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 petitioners shall be released on



bail on above conditions and they shall be present physically on
each and every date before the Trial Court till conclusion of the
proceeding of framing of charge.

(Ramesh Chand Malviya, J)

lata/-

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

