

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30668 of 2024

Arising Out of PS. Case No.-58 Year-2024 Thana- NAWANAGAR District- Buxar

Saukhin Musahar @ Lal Mohar Mushar, Aged about 62 years, Male, Son of Mannu Musahar @ Soma Musahar, Resident of Village - Kesath, Akraura, P.S.- Nawanagar, District - Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar Gupta, Advocate
For the Opposite Party/s : Mr.Arun Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

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

2. The petitioner seeks bail in connection with Nawanagar P.S. Case No. 58 of 2024 instituted for the offences punishable under Section 30(a) of Bihar Prohibition and Excise (Amendment) Act.

3. As per the prosecution case, total 15 liters of illicit country made liquor has been recovered from the house of the petitioner.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. He has falsely been implicated in this case. He has no concern with the alleged recovery. Neither the petitioner was arrested on the spot nor any incriminating article has been recovered from his



conscious possession. The alleged house is a joint family property.
Petitioner is languishing in judicial custody since 13.03.2024.

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 petitioner as well as period
of custody of the petitioner, let the above named petitioner be
released on bail *after framing of charge* on furnishing bail bonds
of Rs. 10,000/- (Ten Thousand) with two sureties of the like
amount each to the satisfaction of the learned Special Excise
Court-2, Buxar in connection with Nawanagar P.S. Case No. 58 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 petitioner shall be released on bail on above
conditions and he 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)

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