

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31462 of 2024

Arising Out of PS. Case No.-61 Year-2024 Thana- HARLAKHI District- Madhubani

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Anit Kumar Paswan, Sex-Male, Aged about 22 years, Son Of Chhoti Paswan,
Resident Of Village - Khauna, Police Station - Basopatti, District -
Madhubani

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bhavesh Sah, Advocate

For the Opposite Party/s : Mr.Ashok Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA

ORAL ORDER

2 24-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Harlakhi
P.S. Case No. 61 of 2024 instituted for the offences punishable
under Sections 272 and 273 of the Indian Penal Code and Section
30(a) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 135 liters of illicit
liquor has been recovered from the motorcycle 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 due to ulterior motive. He has
no concern with the alleged recovery. Nothing incriminating
article has been recovered from his conscious possession. A
statement has been made in para 3 of the petition that petitioner



has no criminal antecedent. He is languishing in judicial custody since 14.03.2024.

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 2nd Additional Sessions Judge-cum-Special Judge Excise Act, Madhubani in connection with Harlakhi P.S. Case No. 61 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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