

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30836 of 2024

Arising Out of PS. Case No.-59 Year-2024 Thana- Excise P.S. District- Gaya

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Ramkhelawan Saw Son of Late Modan Saw Resident of Village- Barachatti,
P.S.-Barachatti, Dist- Gaya Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Akash Kumar Mishra

For the Opposite Party/s : Ms. Sucheta Yadav

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CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

2 23-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in a case registered
for the offence under Section 30(a) of the Bihar Prohibition and
Excise Act.

3. Allegation is of recovery of total 208.895 liters of
foreign liquor from the open house of the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Nothing has been recovered from the possession of
the petitioner. He further submits that there is no independent
witness of the seizure list. Petitioner is in custody since
24.03.2024.

5. However, learned APP for the State vehemently
opposed the prayer for regular bail.



6. Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, 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 learned Exclusive Excise Court No. - 3, Gaya in connection with Excise (Sherghati) P.S. Case No. 59 of 2024.

7. The trial court is directed to conclude the proceeding of framing of charge according to law within a period of 15 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 the above conditions and he shall be present physically on each and every date before the trial court till conclusion of proceeding of framing of charge.

(Ramesh Chand Malviya, J)

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