

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30833 of 2024

Arising Out of PS. Case No.-148 Year-2024 Thana- Excise P.S. District- Nawada

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1. Mukesh Kumar SON OF NARESH MISHTRI Resident of village -DADPUR, PS- AKBARPUR, DIST- NAWADA
 2. SONU KUMAR SON OF RAJENDRA RAJVANSI VILLAGE- Manika ps- Nemdarganj, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

.. .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Nandan Prasad
For the Opposite Party/s : Mr. Sanjay Kumar

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

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

2. The petitioners seek regular bail in a case registered for the offence under Section 30(a) and 56(2)(ii) of the Bihar Prohibition and Excise Act.

3. Allegation is of recovery of total 48.750 liters of illicit English Wine from inside tempo bearing registration No. BR27B / 7947.

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



02.03.2024.

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 petitioners, above named, 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 learned Exclusive Special Excise Court, Nawada in connection with Excise P.S. Case No. 148 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 petitioners shall be released on bail on the above conditions and they 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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