

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37071 of 2024

Arising Out of PS. Case No.-71 Year-2024 Thana- Excise P.S. District- Katihar

Vijay Sharma Son Of Mahesh Sharma Resident Of Village - Sameli, Ward -
19, P.S. - Kursela, District - Katihar

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aniket Kumar Thakur, Advocate

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

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

ORAL ORDER

2 21-05-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in a case registered
for the offence under Sections 30(a) of the Bihar Liquor
Prohibition & Excise Act, 2018.

3. As per allegation in the FIR, total 320.295
liters of foreign liquor has been recovered from the possession
of the petitioner.

4. Learned counsel appearing on behalf of the
petitioner submits that petitioner has falsely been implicated in
this case and no independent witness of seizure list and
petitioner is in custody since 07.02.2024 and he has got clean
antecedent as stated in para-3 of the petition.



5. Learned APP appearing for the State, opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances and submissions made on behalf of the petitioner, let the petitioner, above named, is directed to be released on bail **after framing of the charge** in connection with Katihar Excise P.S. Case No. 71 of 2024 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge Excise Court No.I, Katihar.

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 above named petitioner shall be released on bail on furnishing bail bond with further condition that the petitioner has to present physically on each and every date before the Trial Court till conclusion of the trial.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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