

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31494 of 2024

Arising Out of PS. Case No.-3 Year-2024 Thana- LAKHAURA District- East Champaran

Suresh Singh, Aged about 48 years, Male, Son of Pulkan Singh, Resident of
Village- Majirwa, P.S.- Lakhaura Distt.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rahul Singh, Advocate

For the Opposite Party/s : Ms.Suman Kumari Singh, APP

**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 Lakhaura
P.S. Case No. 03 of 2024 instituted for the offences punishable under
Section 30(a) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 20 liters of desi chulai
liquor has been recovered from the house of co-accused Gagandev
Rai.

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. No incriminating article has been recovered from his
conscious possession. Both the seizure list witnesses are police
personnel which is complete violation of Section 100 of Cr.P.C. A



statement has been made in para 3 of the petition that petitioner has no criminal antecedent. He is languishing in judicial custody since 11.03.2024.

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 Exclusive Special Excise Court No.-1, East Champaran at Motihari in connection with Lakhaura P.S. Case No. 03 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)

lata/-

U		T	
---	--	---	--

