

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33231 of 2024

Arising Out of PS. Case No.-338 Year-2023 Thana- ROH District- Nawada

Saurabh Kumar @ Tan @ Tan Singh Son of Ashok Singh Resident of Village-
Marchoi, P.S. Satgawan, District- Kodarma (Jharkhand)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manmohan Kumar
For the Opposite Party/s : Mr.Nitya Nand Tiwary

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

ORAL ORDER

2 20-05-2024 Heard learned counsel appearing on behalf
of the parties.

2. The petitioner seeks bail in connection with
Roh P.S. Case No.338 of 2023 registered for the offence under
Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per FIR, there is recovery of 300 litre of
illicit liquor from an Auto.

4. Learned counsel appearing on behalf of the
petitioner has submitted that petitioner has falsely been
implicated in the present case, where, petitioner was not arrested
on spot. It is submitted that recovery of alleged illicit liquor was
not made from physical possession of the petitioner and he has
no concern with the alleged recovery of illicit liquor. It is



submitted that similarly situated co-accused person has already been granted bail by this Court as well as learned co-ordinate Bench of this Court through Cr. Misc. No.5865 of 2024 on 13.02.2024 and Cr. Misc. No.81651 of 2023 on 12.01.2024. It is further submitted that petitioner is in custody since 21.02.2024.

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 Roh P.S. Case No.338 of 2023 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 Excise Court No.2, Nawada.

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 have to 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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