

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34547 of 2024

Arising Out of PS. Case No.-61 Year-2024 Thana- KUCHAIKOTE District- Gopalganj

Rajesh Sah Son of Late Bikarma Sah Resident of Village- Pakho Pali, P.S
-Uchkagaw, Dist -Gopalganj, Bihar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sumit Shekhar Pandey, Advocate

For the Opposite Party/s : Mr. Narsingh Tanti, 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 regular bail in connection with Kuchaikote Police Station Case No. 61 of 2024 registered for the offence under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per allegation in the FIR, it is a case of recovery of total 165.74 liters of country made wine.

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. There is no independent witness of the seizure list. Petitioner is in custody since 11.02.2024. Similarly situated co-accused persons have already been granted bail by this Court in Cr. Misc. No. 30006 of 2024 vide order dated 18.04.2024 and



in Cr. Misc. No. 28476 of 2024 vide order dated 16.04.2024.

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 Additional District and Sessions Judge-IV-cum-Exclusive Special Excise Court – II, Gopalganj in connection with Kuchaikote P.S. Case No. 61 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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