

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34392 of 2024

Arising Out of PS. Case No.-87 Year-2024 Thana- ATHMALGOLA District- Patna

PINTU KUMAR @ BRIJBHUSHAN SINGH S/O AKHILESHWAR SINGH
R/O Village- Karnauti ,Police Station- Bakhtiyarpur, District- Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Anjana, Advocate

For the Opposite Party/s : Ms. Rina Sinha, 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 connection with Athmalgola P.S. Case No. 87 of 2024 instituted for the offences punishable under Section 414 of the Indian Penal Code and Section 30(a) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 13.5 liters of I.M.F.L. was recovered from the possession of the petitioner.

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 recovered liquor. Neither the petitioner was arrested on the spot nor any incriminating article has been recovered from his conscious possession. There is no independent of the seizure list. Petitioner is languishing in judicial custody since 18.03.2024. Similarly situated co-accused person has already been granted bail



by this Court in Cr. Misc. No. 30690 of 2024 vide order dated 22.04.2024.

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, 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 Judge Excise, Barh in connection with Athmalgola P.S. Case No. 87 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)

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