

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33449 of 2024

Arising Out of PS. Case No.-21 Year-2024 Thana- KHODAWANDPUR District- Begusarai

1. Gobind Pattidar @ Sachin Son of Anandi Pattidar @ Anandi Lal R/O Village- Bad Kubaid, P.S.- Ujjain, District- Madhya Pradesh
2. Subham Pattidar Son of Shri Ram Pattidar R/O Vill.- 119 Kailash Ampire, P.S.- Chimnal Ganj, Dist.- Ujjain, Madhya Pradesh

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shyameshwar Kumar Singh

For the Opposite Party/s : Mr.Suresh Prasad Singh

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

ORAL ORDER

2 20-05-2024

Heard learned counsel appearing on behalf

of the parties.

2. The petitioners seek bail in connection with Khodawandpur P.S. Case No.21 of 2024 registered for the offence under Sections 467, 468, 120(B)/34 of the Indian Penal Code and Section 30(a), 32(i)(ii), 41(1) of the Bihar Prohibition and Excise Act.

3. As per FIR, there is recovery of total 1516.320 litre of illicit liquor from a truck bearing registration no. UP15GT2132.

4. Learned counsel appearing on behalf of the petitioners has submitted that petitioners have falsely been



implicated in the present case. It is submitted that recovery of alleged illicit liquor was not made from conscious physical possession of the petitioners rather the same was recovered from a truck. It is further submitted that the petitioners have no concern with the alleged recovery of illicit liquor as well as vehicle in question. It is submitted that seizure list appears doubtful being not supported by independent witnesses, rather by police personnels. It is submitted that similarly situated co-accused person has already been granted bail by this Court through Cr. Misc. No.20188 of 2024 on 15.03.2024. It is further submitted that petitioners are man of clean antecedent and they are in custody since 12.02.2024.

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

6. Considering the facts and circumstances and submissions made on behalf of the petitioners, let both petitioners, above named, are directed to be released on bail, ***after framing of the charge***, in connection with Khodawandpur (Chhaurahi OP) P.S. Case No.21 of 2024 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge-1st, Begusarai.



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 petitioners shall be released on bail on furnishing bail bond with further condition that the petitioners 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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