

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36704 of 2024

Arising Out of PS. Case No.-7 Year-2024 Thana- MUSRIGHRARI District- Samastipur

Raghav Jha @ Chintu Jha S/o Ramvilash Jha @ Ramvilas Jha R/o Village
Salempur PS Musarigharari, Distt. - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Singh
For the Opposite Party/s : Mr.Md. Iftekhar Mahmood

**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 Musari
Gharari P.S. Case No. 07 of 2024 instituted for the offences
punishable under Section 30(a) of Bihar Prohibition and Excise
Act.

3. As per F.I.R. and search-cum-seizure list, total
178.560 liters of illicit liquor has been recovered from a Scorpio
Vehicle bearing registration no. BR-31PA-5981.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He has
falsely been implicated in this case due to highhandedness of
police. He has no concern with the alleged recovered liquor or



with the vehicle in question. No any 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. It is next submitted that co-accused have already granted bail by the Co-ordinate Bench of this Court vide order dated 18.03.2024 in Cr. Misc. No. 20514 of 2024 and order dated 04.04.2024 passed in Cr. Misc. No. 25287 of 2024. He is languishing in judicial custody since 28.03.2024.

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 Judge, Excise-01, Samastipur in connection with Musari Gharari P.S. Case No. 07 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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