

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39650 of 2024

Arising Out of PS. Case No.-294 Year-2023 Thana- CHAKAI District- Jamui

MANAN SHEKH @ MANNAN SHEKH @ MANAN SHEK S/O REHAN
SHEKH @ REHAN SHEK R/V- GHAGARIA, P.S- PATRASAER, DISTT.-
BANKURA (WEST BENGAL).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Sinha, Advocate

For the Opposite Party/s : Md. Anzarul Haque Sahara, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 12-07-2024 Heard learned counsel appearing on behalf
of the parties.

2. The petitioner seeks bail in connection with Chakai P.S. Case No.294 of 2023 registered for the offence under Sections 279, 272 and 273 of the Indian Penal Code and Section 30(a), 32 and 41 of the Bihar Prohibition and Excise Act.

3. As per FIR, there is recovery of total 1276.155 litre of illicit liquor from a pickup van bearing registration no.BR06 GF 2089.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner has falsely been implicated in the present case, where, petitioner is not named in



the FIR rather FIR has been registered against owner and driver of Pickup bearing registration no.BR06GF 2089 and other unknown persons and the petitioner was not arrested on spot. It is submitted that recovery of alleged illicit liquor was not made from physical possession of the petitioner rather the same was recovered from a pickup van. It is further submitted that the petitioner has 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.28947 of 2024 on 16.04.2024. It is further submitted that petitioner is a man of clean antecedent and he is in custody since 23.01.2024.

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 Chakai P.S. Case No.294 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 Excise Judge-I, Jamui.

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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