

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.37998 of 2024**

Arising Out of PS. Case No.-83 Year-2024 Thana- MANJHAGARH District- Gopalganj

Hari Chaudhary @ Hari Chaudhry S/O Late Sita Ram Chaudhry Resident Of  
Village - Dharam Parsa, Police Station - Manjhagarh, District-Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Thakur Brajesh Singh, Adv.

For the Opposite Party/s : Mr. Madan Kumar, APP

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

ORAL ORDER

2      22-05-2024                      Heard learned counsel for the petitioner and  
  
learned APP for the State.

2. The petitioner is in custody in connection  
with Manjhagarh P.S Case No. 83 of 2024 registered for  
the offences punishable under Sections 30(a) of Bihar  
Prohibition and Excise Amendment Act.

3. As per prosecution case, total 55 litre illicit  
liquor was recovered from the motorcycle.

4. Learned counsel for the petitioner submits  
that petitioner has falsely been implicated in this case. It  
is further submitted that no incriminating article has  
been recovered from the conscious possession of the



petitioner. On perusal of seizure list there is no independent witness. It is also submitted that petitioner is in judicial custody since 14.03.2024.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. On perusal of the FIR, impugned order and period of custody and also considering the aforesaid 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 the charge* on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Gopalganj in connection with Manjhagarh P.S Case No. 83 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 the proceeding of framing  
of charge.

**(Ramesh Chand Malviya, J)**

Mayank/-

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