

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38233 of 2024

Arising Out of PS. Case No.-75 Year-2024 Thana- RAGHUNATHPUR District- Siwan

1. Raja Ram Bind Son Of Satya Narayan Bind Village- Gabhirar, Ps- Raghunathpur, Dist- Siwan
2. Brajesh Chouhan @ Barjesh Chouhan Son Of Ram Awatar Chouhan Village- Gabhirar, Ps- Raghunathpur, Dist- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ranjan Kumar Dubey, Advocate
For the Opposite Party/s	:	Mr. Humayou Ahmad Khan, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 23-05-2024 Learned counsel for the petitioners is permitted to make necessary in para-9 of the petition.

2. Heard learned counsel for the petitioners and learned APP for the State.

3. The petitioners seek bail in a case registered for the offence under Section 30(a) of the Bihar Excise and Prohibition, Amended Act, 2022.

4. As per allegation in the FIR, total 945 liters of Mahua liquor was recovered from the different polythene.

5. Learned counsel appearing on behalf of the petitioners submits that petitioners have falsely been implicated in this case and nothing has been recovered from the conscious possession of the petitioners and no independent witness of seizure list and petitioners are in custody since



31.03.2024/02.04.2024 respectively.

6. Learned APP appearing for the State, opposes the prayer for bail of the petitioner.

7. Considering the facts and circumstances and submissions made on behalf of the petitioner, let the petitioners, above named, are directed to be released on bail **after framing of the charge** in connection with Raghunath P.S. Case No. 75 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 Judge No.II, Siwan

8. 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 trial.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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