

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38255 of 2024

Arising Out of PS. Case No.-173 Year-2024 Thana- HISUWA District- Nawada

Arpit Kumar @ Karu, Aged about 23 years (Male), S/o Jay Nandan Singh,
R/o village - Hadsa, P.S. - Hisua, District - Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Ranjan Kumar, Advocate
For the Opposite Party/s : Mr.Sunil Kumar Pandey, APP

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 Hisua P.S.
Case No. 173 of 2024 instituted for the offences punishable under
Section 30(a) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, there is recovery of total
23.25 liters of foreign liquor from a car and 207.405 liters of foreign
liquor from the house of the co-accused.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He has falsely
been implicated in this case. He has no concern with the alleged
recovery or with the place of recovery. Neither the petitioner was
arrested on the spot nor 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. Petitioner is in judicial custody since 08.04.2024.

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 Excise Court-I, Nawada in connection with Hisua P.S. Case No. 173 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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