

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37840 of 2024

Arising Out of PS. Case No.-94 Year-2024 Thana- KATEYA District- Gopalganj

Niraj Kumar Singh Son Of Sarbjeet Singh R/O -Vill Badki Mishrauli, P.S-
Kateya, Dist- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Naresh Prasad, Advocate
For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, 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 seeks bail in a case registered
for the offence under Section 30(a) of the Bihar Prohibition and
Excise (Amendment) Act, 2022.

3. As per allegation in the FIR, total 49.200 liters
of country made liquor has been recovered from the gunny bag
which was tied on the back seat of the motorcycle bearing regis-
tration no. UP57AM-4952 and the petitioner was driving of the
said motorcycle and he also the owner of the said motorcycle.

4. Learned counsel appearing on behalf of the
petitioner submits that petitioner has falsely been implicated in
this case and no independent witness of seizure list and peti-



tioner is in custody since 21.03.2024.

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 Kateya P.S. Case No. 94 of 2024 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned ADJ-XIII-cum-Special Judge Excise, Court No.1, Gopalganj, District- Gopalganj.

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 has 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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