

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39817 of 2024

Arising Out of PS. Case No.-124 Year-2024 Thana- SALIMPUR District- Patna

Vikash Kumar Son of Awadh Ray Resident of Village- Saidpur Tola,P.S-
Salimpur, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Bihari Singh, Advocate
For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP

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

ORAL ORDER

3 15-07-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks regular bail in a case registered for
the offence punishable under Section 30(a) of the Bihar
Excise & Prohibition Act.

3. As per allegation in the FIR, total 90 liters of country
made liquor was recovered from a motorcycle.

4. Learned counsel for the petitioner submits that peti-
tioner has falsely been implicated in this case merely on the basis of
suspicion. He next submits that seized motorcycle does not belongs
to this petitioner and he has no concern with the seized liquor. Peti-
tioner has got clean antecedent as stated in para-3 of the petition and
he is in custody since 25.04.2024. He next submits that nothing has
been recovered from the conscious possession of the petitioner and



he has no concern with the alleged offence. He next submits that police have forcibly taken the signature of petitioner on plain paper and prepared a false and fabricated seizure list.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. Considering the above facts and circumstances, let the above named petitioner be released on bail *after framing of charge* on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge Excise, Barh, Patna in connection with Salimpur P.S. Case No. 124 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 chargesheet 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 the charge.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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