

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38736 of 2024

Arising Out of PS. Case No.-713 Year-2024 Thana- Excise P.S. District- East Champaran

Sanjay Singh Son of Late Hitlal Singh R/O Vill.- Madhuban P.S.- Chiraiya,
District -East Champaran At Motihari Petitioner/s

Versus

The State Of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Ranjan, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

3 01-08-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with
Excise (Motihari) P.S. Case No. 713 of 2024 registered for the
offence under Section 30(a) of the Bihar Prohibition and Excise
Act.

3. As per allegation in the FIR, it is a case of recovery
of 45 liters of Nepali Kasturi liquor from plastic bag which was
kept on motorcycle bearing registration No. BR05R7494.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Nothing has been recovered from the possession of
the petitioner. He further submits that there is no independent
witness of seizure list and the petitioner is in custody since
23.04.2024.

5. However, learned APP for the State vehemently



opposed the prayer for regular bail of the petitioner.

6. Considering the facts and circumstances of the case and period of custody, let the petitioner, above named, 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 learned Exclusive Special Excise Court No. 2nd, East Champaran at Motihari in connection with Excise (Motihari) P.S. Case No. 713 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 trial of this case and if the petitioner remain absent on two consecutive dates without any cogent reason, the bail bonds of the petitioner shall be cancelled by the trial Court itself.

(Ramesh Chand Malviya, J)

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