

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45236 of 2024

Arising Out of PS. Case No.-410 Year-2023 Thana- UJIYARPUR District- Samastipur

Raghav Jha @ Chintu Jha @ Pintu @ Raghav Kumar Ramvilash Jha @
Ramvilas Jha R/O OF VILL.- SALEMPUR, P.S.- MUSARIGHARARI,
DIST.- SAMSTIPUR

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Singh

For the Opposite Party/s : Mr.Khurshid Anwar

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

ORAL ORDER

2 15-07-2024 Heard learned counsel appearing on behalf
of the parties.

2. The petitioner seeks bail in connection with
Ujiyarpur P.S. Case No.410 of 2023 registered for the offence
under Sections 30(a), 41(1), 41(2) of the Bihar Prohibition and
Excise Act.

3. As per FIR, there is recovery of total
6435.72 litre of illicit liquor from a truck bearing registration
no. PB13AW-4880.

4. Learned counsel appearing on behalf of the
petitioner has submitted that petitioner has falsely been
implicated in the present case, where, petitioner was not arrested
on spot but he is named in the FIR, where, his name surfaced on



the basis of secret information. It is submitted that recovery of alleged illicit liquor was not made from physical possession of the petitioner and he has no concern with the alleged recovery of illicit liquor. It is submitted that similarly situated co-accused person, who is driver of the said truck, has already been granted bail by this Court through Cr. Misc. No.24255 of 2024 on 28.03.2024. It is further submitted that petitioner is in custody since 18.04.2024.

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 Ujiyarpur P.S. Case No.410 of 2023 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge Excise-I, Samastipur.

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 have to 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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