

Arising Out of PS. Case No.-194 Year-2024 Thana- Excise P.S. District- Aurangabad

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok 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 Daudnagar Excise P.S. Case No.194 of 2024 registered for the offence under Sections 30(a), 30(c), 30(d), 32(3) and 36 of the Bihar Prohibition and Excise Act.

3. As per FIR, there is recovery of total 8.640 litre of illicit liquor from house of the petitioner and 93.42 litre of illicit liquor was recovered from bush situated adjacent to the house of the petitioner.

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. It is submitted that recovery of alleged illicit liquor was not made from physical possession of the petitioner rather the same was recovered from joint house of the petitioner as well as bush situated adjacent to the house of the petitioner and he has no concern with the alleged recovery of illicit liquor. It is further submitted that petitioner is a man of clean antecedent and he is in custody since 12.05.2024.

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 Daudnagar Excise P.S. Case No.194 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 Special Judge, Excise – II, Aurangabad.

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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