

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49523 of 2024

Arising Out of PS. Case No.-428 Year-2024 Thana- Excise P.S. District- Aurangabad

Sheo Shankar Sao Son Of Lakhan Sao Village- Hariharganj, Distt.- Palamu
(Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh, Advocate
For the Opposite Party/s : Mr. Nand Kumar, APP

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

ORAL ORDER

2 23-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody in a case registered for
an offence punishable under Sections 30(a) and 32(3) of the
Bihar Excise Prohibition and Amendment Act, 2016.

3. As per allegation in the FIR, it is a case of recovery
of 55.125 liters of foreign liquor from a Auto-rickshaw.

4. Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case. He next
submits that nothing has been recovered from the conscious
possession of the petitioner and the petitioner is not the driver of
the said vehicle and he is in custody since 09.05.2024.

5. In the facts and circumstances of the case, let the



above named petitioner be released on bail *after framing of the charge* on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise-II, Aurangabad (Bihar) in connection with Aurangabad Excise P.S. Case No. 428 of 2024.

6. 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 the proceeding of framing of charge.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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