

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50194 of 2024

Arising Out of PS. Case No.-84 Year-2024 Thana- Excise P.S. District- Gaya

1. Monu Kumar, aged about 19 years, Male, Son of Ramesh Singh @ Ramsesh Singh.
2. Nitesh Kumar, aged about 24 years, Male, Son of Umesh Singh @ Umesh Ram, Both Resident of Village - Kalyanpur, P.S.- Pratappur, District- Chatra (Jharkhand).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Sharma, APP

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

ORAL ORDER

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

2. The petitioners seek bail in connection with Excise (Sherghati) P.S. Case No. 84 of 2024 instituted for the offences punishable under Sections 30(a) and 32(C) of the Bihar Prohibition and Excise Amendment Act, 2018.

3. As per the prosecution case, total 122.750 liters of foreign liquor has been recovered from a tempo.

4. Learned counsel for the petitioners submits that the petitioners are innocent have committed no offence and have



falsely been implicated in this case only on the basis of suspicion. He further submits that petitioners have no concern with the alleged tempo or liquor. He next submits that there is no any independent witness of the seizure list. Petitioners have got clean antecedent as stated in para 3 of the petition is in custody since 15.05.2024.

5. Learned APP opposes the prayer for bail.

6. Considering the aforesaid facts and circumstances of the case and submission of learned counsel for the parties, accordingly the prayer for bail of the petitioners are allowed. Let the petitioners above named be released on bail ***after framing of charge*** on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Excise Court No. 3, Gaya in connection with Excise (Sherghati) P.S. Case No. 84 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 charge-sheet has not been submitted*** then the petitioners 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 charge.

(Ramesh Chand Malviya, J)

Anand Kr.

U		T	
---	--	---	--

