

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49762 of 2024

Arising Out of PS. Case No.-143 Year-2024 Thana- BAIKUNTHPUR District- Gopalganj

Uttam Kumar Son Of Jhamindra Rai Vill - Dhumnagar Mahana, P.S. - Bhagwanpur Hat, Dist - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
For the Petitioner/s : Mr. Bijay Prakash Singh, Advocate
For the Opposite Party/s : Mr. Bishweshwar Ram, 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 under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per allegation in the FIR, total 835 liters of illegal spirit has been recovered from middle and back seat of Bolero vehicle bearing Reg. No. BR-29M-8375.

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 only the petitioner is the driver of the said vehicle, he has got clean antecedent and he is in custody since



05.05.2024.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. 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 Additional Sessions Judge-XIII-cum-Special Judge Ex-cise-I, Gopalganj in connection with Baikunthpur P.S. Case No. 143 of 2024.

7. The trial court is directed to conclude the proceeding 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 chargesheet 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/-

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

