

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50181 of 2024

Arising Out of PS. Case No.-359 Year-2024 Thana- ARA NAGAR District- Bhojpur

Firoz Ahmad, Male, aged about 30 years, Son of Late Bhuteli Miyan,
Resident of Village- Kulharia, P.S.- Koilwar, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharmesh Kumar Shrivastava, Advocate

For the Opposite Party/s : Mr. Nitya Nand Tiwary, 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 seeks bail in connection with Ara
Nagar P.S. Case No. 359 of 2024 instituted for the offences
punishable under Section 30(a) of the Bihar Prohibition and
Excise (Amendment) Act, 2018.

3. As per the prosecution case, total 120 liters of
Mahua liquor has been recovered from a plastic bags.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence and has
falsely been implicated in this case due to highhandedness of
police. He further submits that nothing has been recovered from
the conscious possession of the petitioner. He next submits that
total 120 liters Mahua liquor was recovered from two
motorcycles not from the petitioner. Petitioner has got clean



antecedent as stated in para 3 of the petition and he is in custody since 15.06.2024.

5. Learned APP opposes the prayer for bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, accordingly the prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail *after framing of charge* on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge-1, Bhojpur at Ara in connection with Ara Town P.S. Case No. 359 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 petitioner 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)

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