

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52426 of 2024

Arising Out of PS. Case No.-99 Year-2024 Thana- Excise P.S. District- Gaya

Sudhir Kumar Son of Satyendra Prajapati R/V- JHAUR, P.S.- SHERGHATI,
DISTT.- GAYA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Sinha

For the Opposite Party/s : Mr.Narsingh Tanti

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

ORAL ORDER

2 20-07-2024 Heard learned counsel appearing on behalf
of the parties.

2. The petitioner seeks bail in connection with
Excise (Sherghati) P.S. Case No.99 of 2024 registered for the
offence under Section 30(a) of the Bihar Prohibition and Excise
Act.

3. As per FIR, there is recovery of 155 litres of
illicit liquor from motorcycle of the petitioner bearing
registration No. BR02AH 4802.

4. Learned counsel appearing on behalf of the
petitioner has submitted that petitioner has falsely been
implicated in the present case. It is submitted that recovery of
alleged illicit liquor was not made from physical possession of



the petitioner and he has no concern with the alleged recovery of illicit liquor. It is submitted that similarly situated co-accused person has already been granted bail by this Court through Cr. Misc. No.16858 of 2024 on 11.03.2024. It is further submitted that petitioner is a man of clean antecedent and he is in custody since 27.06.2024.

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 Excise (Sherghati) P.S. Case No.99 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 Exclusive Excise Court No.3, Gaya.

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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