

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64929 of 2024

Arising Out of PS. Case No.-1587 Year-2024 Thana- Excise P.S. District- Patna

Sunil Kumar Ray son of Yogendra Yadav Resident of Daidpur, Ward No- 5,
Police Station- Kadamkuwan District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, APP

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

ORAL ORDER

2 17-09-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner is in custody in connection with Prohibition Case No. 1587 of 2024 registered for the offences punishable under Sections 30(A) & 56(b) of the Bihar Prohibition and Excise Act 2016 and amendment Act 2022.

3. As per prosecution case, total 69.12 litre illicit liquor recovered from the Thela.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. It is further submitted that there is no independent witness



of the seizure list. It is also submitted that petitioner is in judicial custody since 05.07.2024 and he has got no criminal antecedent as stated in para 3 of the bail petition.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. On perusal of the FIR, impugned order and period of custody and also considering the aforesaid facts and circumstances of the case and submissions made on behalf of the petitioner, let the above named petitioner be released on bail *after framing of the charge* on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Court 3rd, Patna in connection with Prohibition Case No. 1587 of 2024.

7. 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)

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