

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73578 of 2023

Arising Out of PS. Case No.-253 Year-2022 Thana- Excise P.S. District- Madhepura

DILKHUSH KUMAR S/O SURESH YADAV R/O BHAGWANI, WARD
NO. 01, PS. GHAILARDH AND DIST. MADHEPURA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Verma

For the Opposite Party/s : Mr. Ashok Kumar Singh

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

ORAL ORDER

7 20-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with
Madhepura Excise Police Station Case No. 253 of 2022
registered for the offence under Section 30(a) of the Bihar
Prohibition & Excise Act.

3. As per allegation in FIR, it is a case of recovery of
23 liters of illegal codeine cough syrup from the possession of
the petitioner and co-accused person.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Nothing has been recovered from the possession of
the petitioner. The petitioner is in custody since 18.08.2023.



5. However, learned APP for the State vehemently opposed the prayer for regular bail.

6. Considering the aforesaid facts and circumstances of the case, 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 learned Additional Sessions Judge – VII – cum – Special Judge Excise – II, Madhepura in connection with Madhepura Excise P.S. Case No. 253 of 2022.

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 proceeding of framing of charge.

(Ramesh Chand Malviya, J)

saaurabhkr/-

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

