

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77744 of 2023

Arising Out of PS. Case No.-214 Year-2023 Thana- AMAS District- Gaya

1. RAJENDRA SINGH @ PRAVEEN SINGH @ RAJINDER SINGH SON OF JUGDEV SINGH R/O OF VILLAGE- TITWABIYA, P.S.- R.S.PURA, DISTRICT- JAMMU
2. ASHWINI CHAUDHARY @ ASHWANI CHOWDHARY SON OF JASPAL CHAUDHARY R/O OF VILLAGE- PUROTHANA, P.S.- R.S. PURA, DISTRICT- JAMMU

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aryan Singh
For the Opposite Party/s : Mr.Shaheen Begum

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

5 27-02-2024 Heard learned counsel appearing on behalf
of the parties.

2. The petitioners seek bail in connection with Amas P.S. Case No.214 of 2023 registered for the offence under Sections 18, 20 and 22 of the NDPS Act and Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per FIR, there is recovery of total 1.5 litre of illicit liquor and 5.186 KG of *Doda* from a truck.

4. Learned counsel appearing on behalf of the petitioners has submitted that petitioners have falsely been implicated in the present case. It is submitted that petitioner no1.



Is owner-cum-driver of the truck and petitioner no.2 is co-driver of the truck. It is submitted that recovery of alleged illicit liquor as well as contraband like *Doda* powder was not made from conscious physical possession of the petitioners. It is submitted that seizure list appears doubtful being not supported by independent witnesses, rather by police personnels. It is also submitted that the recovered quantity of contraband like *Doda* powder is more than small quantity and much less than commercial quantity. It is further submitted that petitioners are men of clean antecedent and they are in custody since 19.06.2023.

5. Learned APP appearing for the State, opposes the prayer for bail of the petitioners.

6. Considering the facts and circumstances and submissions made on behalf of the petitioners, let both the petitioners, above named, are directed to be released on bail, ***after framing of the charge***, in connection with Amas P.S. Case No.214 of 2023 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Sessions Judge-cum-Special Judge, NDPS Act, 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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