

Arising Out of PS. Case No.-866 Year-2023 Thana- FORBESGANJ District- Araria

- Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

For the Petitioner/s : Mr. Mukesh Kumar Rana
For the Opposite Party/s : Md. Anzarul Haque Sahara

ORAL ORDER

5 20-02-2024

Heard learned counsel appearing on behalf

2. The petitioners seek bail in connection with Forbesganj (Simraha) P.S. Case No.866 of 2023 registered for the offence under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per FIR, there is recovery of 448 litre of Eskuf Syrup from the house of the petitioners.

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 recovery of alleged Eskuf Syrup was not made from physical possession of



the petitioners, rather the same was recovered from the house of petitioner no.1, Aadil, where, he was completely unaware from the keeping of cough syrup in his house. It is further submitted that the petitioners have no concern with the alleged recovery of cough syrup. It is further submitted that petitioners are men of clean antecedent and they are they are in custody since 15.09.2023.

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 petitioners, let both the petitioners, above named, are directed to be released on bail, ***after framing of the charge***, in connection with Forbesganj (Simraha) P.S. Case No.866 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 Exclusive Special Judge Excise-I, Araria.

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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