

Arising Out of PS. Case No.-585 Year-2023 Thana- NARPATGANJ District- Araria

Shikendra Kumar Bahardar @ Sikander Kumar Bahardar S/o Late Dayanand Bahardar R/o Village-Palasi, Ward No. 02, Police Station-Narpatganj, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kundan Singh
For the Opposite Party/s : Mr.Satya Nand Shukla

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

3 27-02-2024

Heard learned counsel appearing on behalf

of the parties.

2. The petitioner seeks bail in connection with Narpatganj P.S. Case No.585 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 1080 litre of illicit liquor from a pickup van bearing registration no. BR11GB5074.

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 rather the same was recovered from a pickup van,



where, petitioner was driver of the said vehicle and he was no under knowledge of illegal consignment of illicit liquor. It is further submitted that the petitioner has no concern with the alleged recovery of illicit liquor. It is submitted that seizure list appears doubtful being not supported by independent witnesses, rather by police personnels. It is further submitted that petitioner is a man of clean antecedent and he is in custody since 11.10.2023.

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 petitioner, let the petitioner, above named, is directed to be released on bail, *after framing of the charge*, in connection with Narpatganj P.S. Case No.585 of 2023 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 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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