

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12353 of 2024

Arising Out of PS. Case No.-585 Year-2023 Thana- Excise P.S. District- Saran

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1. Ramakant Puri S/O Bishwanath Puri Village- Jalalpur, Ps. Jalalpur, Dist. Saran.
 2. Raushan Kumar S/O Bijuli Ram Village- Jalalpur, Ps. Jalalpur, Dist. Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Samir Kumar, Adv.

For the Opposite Party/s : Mr.Jagdhar Prasad, APP

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

ORAL ORDER

2 26-02-2024 Heard learned counsel for the petitioners and

learned APP for the State.

2. The petitioners are in custody in connection
with Sadar P.S Case No. 585 of 2023 registered for the
offences punishable under Sections 30(a) & 32(3) of
Bihar Prohibition and Excise Act.

3. As per prosecution case, total 210 litre illicit
liquor was recovered from the car.

4. Learned counsel for the petitioners submit
that petitioners have falsely been implicated in this case.
It is further submitted that no incriminating article has



been recovered from the conscious possession of the petitioners. On perusal of seizure list there is no independent witness. Petitioners have got no criminal antecedent as stated in para 3 of the petition. It is also submitted that petitioners are in judicial custody since 28.09.2023.

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 petitioners, let the above named petitioners be released on bail *after framing of the charge* on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate , Chapra, Saran in connection with Sadar P.S Case No. 585 of 2023.

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 petitioners will be released on bail on the above conditions and they will 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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