

Arising Out of PS. Case No.-1264 Year-2023 Thana- Excise P.S. District- Jamui

Arising Out of PS. Case No.-1264 Year-2023 Thana- Excise P.S. District- Jamui

... .. Petitioner/s

Versus

... .. Opposite Party/s

For the Petitioner/s : Mr.Dhananjay Kumar Pandey
For the Opposite Party/s : Mr.Manoj Kumar

For the Opposite Party/s : Mr.Manoj Kumar

ORAL ORDER

Heard learned counsel appearing on behalf

of the parties.

2. The petitioner seeks bail in connection with Jamui Prohibition P.S. Case No.JAM 1264/23 registered for the offence under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per FIR, there is recovery of 259.875 litre of illicit liquor from a car bearing registration no.JH09BC/4289.

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 car and he



has no concern with the alleged recovery of illicit liquor as well as vehicle in question. It is also submitted that seizure list appears doubtful being not supported by independent witnesses, rather by police personnels. It is further submitted that similarly situated co-accused person has already been granted bail by one of the learned co-ordinate Bench of this Court through Cr. Misc. No. 76428 of 2023 on 01.12.2023. It is further submitted that petitioner is in custody since 22.09.2023.

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 petitioner, let the petitioner, above named, is directed to be released on bail, *after framing of the charge*, in connection with Jamui Prohibition P.S. Case No.JAM 1264 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 – II, Jamui.

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 petitioner shall 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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