

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.10550 of 2024**

Arising Out of PS. Case No.-343 Year-2023 Thana- BARUN District- Aurangabad

Manoj Chaudhary S/O LATE CHARITRA CHAUDHARY R/O- KESHO  
MARKET, SON NAGAR BHUIAN TOLI, PS. BARUN, DIST.  
AURANGABAD (BIHAR)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Adarsh Singh

For the Opposite Party/s : Mr.Ajay Kumar No. 2

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

ORAL ORDER

2      21-02-2024                      Heard learned counsel appearing on behalf  
of the parties.

2.              The petitioner seeks bail in connection with  
Barun P.S. Case No.343 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 94 liters of  
country made liquor and 106 litres of Beer from the possession  
of the petitioner.

4.              Learned counsel appearing on behalf of the  
petitioner has submitted that petitioner has falsely been  
implicated in the present case, where, petitioner was not arrested  
on spot and name of the petitioner surfaced on the basis of  
statement as made by the police officials. It is submitted that



recovery of alleged illicit liquor was not made from conscious physical possession of the petitioner rather the same was recovered from near the railway line. It is further submitted that the petitioner has no concern with the alleged recovery of illicit liquor. It is further submitted that petitioner is in custody since 05.12.2023.

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 Barun P.S. Case No.343 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 Excise Court No.2-cum-Additional District and Sessions Judge, Hajipur at Vaishali.

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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