

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11565 of 2024

Arising Out of PS. Case No.-197 Year-2023 Thana- CHERIYA BARIYARPUR District-
Begusarai

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Gautam Kumar @ Gautam Yadav S/o Jai Jai Ram Yadav, resident of
Maheshwara, P.S.-Naokothi, District-Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vinod Gautam
For the Opposite Party/s : Mr.Sharda Kumari

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

ORAL ORDER

2 23-02-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner is in custody in connection
with Cheria Bariarpur P.S Case No. 197 of 2023
registered for the offences punishable under Sections
120(B), 30(a) of the Bihar Prohibition and Excise
(Amendment Act), 2018.

3. As per F.I.R., 133.38 litres of illicit liquor
has been recovered from the Badi.

4. Learned counsel for the petitioner submits
that petitioner has falsely been implicated in this case.



He further submits that the petitioner is not arrested on the spot and his name has come on the confessional statement of co-accused. It is also submitted that petitioner is in judicial custody since 5.12.2023.

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 petitioner, let the above named petitioner be released on bail *after framing of the charge* on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise, First, Begusarai in connection with Cheria Bariarpur P.S Case No. 197 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 petitioner shall be released on bail on the above conditions and he shall 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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