

Arising Out of PS. Case No.-493 Year-2023 Thana- VAISHALI District- Vaishali

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... .. Petitioner/s

Versus

... .. Opposite Party/s

For the Petitioner/s : Mr.Kanchan Kumari
For the Opposite Party/s : Mr.Renu Kumari

For the Opposite Party/s : Mr.Renu Kumari

ORAL ORDER

Heard learned counsel appearing on behalf

of the parties.

2. The petitioner seeks bail in connection with Vaishali P.S. Case No.493 of 2023 registered for the offence under Sections 420, 467, 468, 471 and 120B of the Indian Penal Code and Section 30(a), 36(i) and 41(i) of the Bihar Prohibition and Excise Act.

3. As per FIR, there is recovery of total 807.645 litre of illicit liquor from a truck.

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 petitioner was not arrest on spot, where, his name surfaced on the basis of



confessional statement of co-accused, namely, Dablu Ram, who was arrest on spot, have already been granted bail by a learned co-ordinate Bench of this Court through Cr. Misc. No.82638 of 2023 on 20.12.2023. 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 a truck. It is further submitted that the petitioner has no concern with the alleged recovery of illicit liquor as well as vehicle in question. It is further submitted that petitioner is a man of clean antecedent and he is in custody since 22.11.2023.

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 Vaishali P.S. Case No.493 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 Prohibition Court-II-cum-Additional District and Sessions Judge, Hajipur, 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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