

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2279 of 2025

Arising Out of PS. Case No.-315 Year-2024 Thana- AKHODHIGOLA District- Rohtas

Abhishek Kumar @ Bittu Kumar, S/o- Munna Prasad, Resident of Village- Akorhigola, Ward No- 08, Near Subhash Library, PS-Akorhigola, District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No 13, Adv.

For the Opposite Party/s : Mr. Madan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 20-01-2025 Heard Mr. Manish Kumar No. 13, learned counsel

appearing for the petitioner and Mr. Madan Kumar, learned APP

appearing for the State.

2. Petitioner seeks regular bail in connection with Akorhigola P.S. Case No. 315 of 2024 dated 20.11.2024 corresponding to G.R. No. 1358 of 2024 registered for the offence punishable under section 30(a) of the Bihar Prohibition & Excise Act.

3. The main submissions advanced by learned counsel for the petitioner are that the instant matter relates to the recovery of 170.6 litres of illicit country-made liquor from a tempo, though as per allegation, the petitioner is said to have been found in the alleged vehicle but in fact he was present in



the said vehicle as a bonafide passenger and was travelling after paying fair to the driver of the tempo and had no knowledge regarding the transportation of the alleged liquor. It is further submitted that the petitioner has been languishing in jail since 21.11.2024 and against him the investigation has been completed, though against him there is criminal antecedent of two cases but he is on bail in both the said cases. It is further submitted that the seizure list witnesses are the police personnel, so, the release of the petitioner on bail will not prejudice the prosecution in any manner.

4. Mr. Madan Kumar, learned APP for the State has opposed the bail prayer of the petitioner.

5. Considering the aforesaid submissions advanced by petitioner's counsel, this Court is inclined to grant the relief of regular bail to the petitioner. Accordingly, let the petitioner named-above be released on bail on furnishing bail bond of Rs.20,000/-(Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Akorhigola P.S. Case No. 315 of 2024 dated 20.11.2024 corresponding to G.R. No. 1358 of 2024 on the following condition : -

(i) As the investigation has been completed against



this petitioner, so, the trial court is directed to proceed to frame the charges upon him at the earliest as per the procedure of law and the petitioner shall be released **after framing of the charge** if the same has not been framed upon him.

(Shailendra Singh, J)

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