

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5537 of 2019

Arising Out of PS. Case No.-257 Year-2018 Thana- GOVINDGANJ District- East
Champaran

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1. Dilip Malik @ Dipak Mali @ Deepak Mallik, Son of Late Rajendra Malik Resident of Village-Areraj Dom Toli, Ward No. 10, P.S.-Govindganj (Areraj O.P.), District - East Champaran
 2. Ravi Malik, Son of Raju Malik Resident of Village- Areraj Dom Toli, Ward No. 10, P.S.- Govindganj (Areraj O.P.), District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhurendra Kumar
For the Opposite Party/s : Mr.Akbar Ali

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 31-01-2019 Heard both sides.

Petitioners apprehend their arrest in Govindganj (Areraj) P.S. Case No.257 of 2018 registered under Sections 272 and 273 of the Indian Penal Code as well as under Sections 30(a), 38(i) and 41(i) of the Bihar Prohibition and Excise Act, 2016.

The police saw two persons on a motorcycle but the motorcyclist seeing the police fled away. The pillion rider was apprehended with the bag and in the bag country made liquor was found. The apprehended accused disclosed his name as Guddu Mukhiya and also disclosed the name of Brij Kishore Mukhiya who managed to flee away with the motorcycle. The apprehended accused disclosed that he sole 5 liters of country made liquor to



Ravi Malik and Dilip Malik, the petitioners and others.

Learned counsel for the petitioners submits that nothing has been recovered from possession of the petitioners. Save and except the disclosure made by Guddu Mukhiya who was apprehended with country made liquor, there is no material to show that the petitioners purchased any liquor from Guddu Mukhiya.

Considering the facts aforesaid, let petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt of this order be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned 7th Additional Sessions Judge-cum-Special Judge (Excise), East Champaran, Motihari in connection with Govindganj (Areraj) P.S. Case No.257 of 2018, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Prabhat Kumar Jha, J)

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