

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32920 of 2019

Arising Out of PS. Case No.-58 Year-2019 Thana- RAJNAGAR District- Madhubani

Naresh Mallik, Son of Mangal Mallik, Resident of Village - Kasiyauna, P.S.-
Rajnagar, Dist.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subhash Kumar Jha
For the Opposite Party/s : Mr. Umesh Lal Verma

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 01-08-2019 This is an application for grant of anticipatory bail in connection with Rajnagar P.S. Case No. 58 of 2019, disclosing offences under Sections 272 & 273 of the Indian Penal Code and Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.

Prosecution case is that police received an information that petitioner and other accused persons are engaged in liquor trade, on that, police party raided the place and there is recovery of 73.500 liters of Nepali wine behind the house of Chhedi Dhankar.

Submission of the learned counsel for the petitioner is that the F.I.R. itself disclosed that recovery is behind the house of Chhedi Dhankar and not from the house of the petitioner, nor his conscious possession. Further submission is that he has no criminal antecedent and petitioner's name has been mentioned



in the F.I.R. only on the basis of confessional statement of the co-accused.

Heard learned A.P.P. also.

Having heard both sides, considering the above submission, this application is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, Madhubani, in connection with Rajnagar P.S. Case No. 58 of 2019, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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