

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62605 of 2019**

Arising Out of PS. Case No.-65 Year-2019 Thana- TARABARI District- Araria

SUMIT KUMAR MALLIK @ GUDDU MALLIK Son of Kanti Kumar Mallik @ Kanti Mallik Resident of Village and P.S.- Madanpur (Araria), District - Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mrigendra Kumar

For the Opposite Party/s : Mr.Md. Anbzarul Haque Sahara

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER**

2 17-10-2019 Heard both sides.

The petitioner apprehends his arrest in Tarabari P.S.
Case No.65 of 2019 registered under Section 30(a) of the Bihar
Prohibition and Excise Act.

The police intercepted two persons on a motorcycle
and recovered liquor. The apprehended accused disclosed that
they were carrying liquor at the instance of the petitioner.

Learned counsel for the petitioner submits that
nothing has been recovered from possession of the petitioner.

Having considered the facts that the name of
petitioner surfaced in the case at the instance of the apprehended
accused from whose possession liquor was recovered but there
is no material to show that the petitioner handed over liquor to



the apprehended accused for carrying the same, the above named petitioner, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge-cum-Special Judge, Araria in connection with Tarabari P.S. Case No.65 of 2019 (Special Case No.544 of 2019), subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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