

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 37564 of 2020

Arising Out of PS Case No.-150 Year-2020 Thana- ARARIA District- Araria

Ravi Mallik, Male, Aged about 25 years, Son of Debendra Mallik @
Devendra Basfor, Resident of Village- Champahari, PS- Pradhan Nagar,
District- Darjiling.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Baleshwar Kamat, Advocate
For the State : Mr. Jharkhandi Upadhyay, APP

**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH**

ORAL JUDGMENT

Date : 05-02-2021

Heard Mr. Baleshwar Kamat, learned counsel for the
petitioner and Mr. Jharkhandi Upadhyay, learned In-charge
Additional Public Prosecutor (hereinafter referred to as the 'APP')
for the State.

2. The petitioner is in custody in connection with Araria
(Bairgachhi) PS Case No. 150 of 2020 (Special Case No. 194 of
2020) dated 19.02.2020, instituted under Sections 30(a) and 38 of
the Bihar Prohibition and Excise Act, 2016.

3. The allegation is that the petitioner was driving the
pick-up van from which 832.680 litres of liquor was recovered.

4. Learned counsel for the petitioner submitted that he
was only a driver and was not aware of what was kept in the



vehicle and by whom. It was further submitted that the petitioner has no criminal antecedent and is in custody since 19.02.2020.

5. Learned APP submitted that liquor was recovered from the pick-up van being driven by the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-II cum-Special Judge, Araria in Araria (Bairgachhi) PS Case No. 150 of 2020 subject to the conditions (i) that one of the bailors shall be a close relative of the petitioner, (ii) that the petitioner and the bailors shall execute bond with regard to good behaviour of the petitioner, and (iii) that the petitioner shall also give an undertaking to the Court that he shall not indulge in any illegal/criminal activity, act in violation of any law/statutory provisions, tamper with the evidence or influence the witnesses. Any violation of the terms and conditions of the bonds or the undertaking shall lead to cancellation of his bail bonds. The petitioner shall cooperate in the case and be present before the Court on each and every date. Failure to cooperate or being absent



on two consecutive dates, without sufficient cause, shall also lead to cancellation of his bail bonds.

7. The application stands disposed off in the aforementioned terms.

(Ahsanuddin Amanullah, J.)

P. Kumar

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