

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6814 of 2022

Arising Out of PS. Case No.-316 Year-2021 Thana- RAJNAGAR District- Madhubani

1. JITENDRA MALLIK @ JITENDRA KUMAR MALLIK Son of Ranjit Mallik Resident of Village - Kasiyauna, Mallik Tol, P.S. - Rajnagar, District - Madhubani.
2. Dilip Mallik Son of Chedi Mallik Resident of Village - Kasiyauna, Mallik Tol, P.S. - Rajnagar, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Bharti
For the Opposite Party/s : Mr.Arun Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 29-07-2022 Heard learned counsel for the petitioners and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Rajnagar P.S. Case no. 316 of 2021 instituted for the offence under Sections 272 and 273 of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 180 litres of nepali sounfi from the bamboo clump.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has got no criminal antecedent. Petitioner has no



concern with the alleged recovery or with the place of occurrence. On mere suspicion, petitioner's name has been surfaced in the present case. Neither the petitioner was arrested nor any incriminating article has been recovered from his possession.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Rajnagar P.S. Case no. 316 of 2021, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, Madhubani subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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