

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80877 of 2024

Arising Out of PS. Case No.-224 Year-2024 Thana- MAKER District- Saran

Sahid Malik son of Anwar Malik @ Anwar Resident of village- jagdishpur
police station -Murthal district -Sonipat Haryana

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Mili Kumari, Advocate
For the Opposite Party/s : Mr.Md. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 25-11-2024 Heard the parties.

2. The petitioner is in judicial custody in connection with Maker P.S. Case No. 224 of 2024 for the offence punishable under Sections 30(a) of the Bihar Prohibition and Excise Act lodged on 23.08.2024 by the informant, Akhilesh Kumar.

3. As per the prosecution story, the informant upon confidential information, intercepted a Swift Dzire and a Tata Nexon and recovered 84.37 liters of whisky from the Swift Dzire and 135 liters of whisky from the Tata Nexon. This led to the FIR/arrest.

4. It is the case of the petitioner that he does not own either of the vehicle, had taken lift in Swift Dzire which led to the implication. He has no criminal antecedent and is in custody



since 24.08.2024 (para-4 of the petition).

5. Learned APP opposes the prayer submitting that he was part of the Swift Desire when the recovery/seizure is made.

6. Taking into account the aforesaid submissions as also the fact that the petitioner does not own either of the vehicle, is in custody since 24.08.2024 having no criminal antecedent, this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned 3rd Exclusive Special Excise Judge, Saran, Chapra, in connection with Maker P.S. Case No. 224 of 2024 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his



attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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