

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33014 of 2025

Arising Out of PS. Case No.-32 Year-2025 Thana- RAJNAGAR District- Madhubani

Jitendra Kumar Mallik @ Jitenndra Mallik S/o Ranjeet Mallik R/o Village-
Kasiyauna, P.S.- Rajnagar, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Prakash, Adv.

For the Opposite Party/s : Mr. Choubey Jawahar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 15-05-2025 Heard learned counsel for the petitioner and Mr.
Choubey Jawahar, learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Rajnagar P.S. Case No. 32 of 2025 registered for the
offences punishable under Section 30(a) of the Bihar Prohibition
& Excise Act.

3. As per prosecution case, the police has recovered
total 180 liters of illicit Nepali liquor from two motorcycles.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case.
The petitioner was neither apprehended on spot nor anything
incriminating has been recovered from his conscious possession.



The petitioner has two criminal antecedents and, in both of them, he is on bail as has been stated in paragraph no.3 of the present anticipatory bail application. The name of the petitioner has transired in this case on the basis of the disclosures made by the apprehended co-accused Mukesh Kumar and Sanjeevan Kumar Singh. The petitionoiner is neither owner nor rider of the alleged seized motorcycles. The petitioner has no concern with the alleged occurrence or the seized liquor. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case.

5. Learned counsel for the petitioner further submits that the co-accused Mukesh Kumar has been granted regular bail by this Court vide order dated 25.04.2025 passed in Cr. Misc. No. 25824 of 2025.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

7. Considering the entire facts and circumstances of the case and taking into account the submissions made by the learned counsel for the petitioner, let the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of



Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Rajnagar P.S. Case No. 32 of 2025, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S.

(Rudra Prakash Mishra, J)

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