

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70185 of 2025

Arising Out of PS. Case No.-528 Year-2025 Thana- SAHARSA SADAR District- Saharsa

Ankit Mallik S/o Gyanchand Mallik @ Gyanchandra Mallik Resident at Bus
Stand Gangjala, P.S.- Saharsa Sadar, Dist.- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha, Adv.

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 13-10-2025 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Saharsa Sadar P.S. Case No. 528 of 2025 for the offence registered under sections 30(a) & 44 of Bihar Prohibition and Excise Act (Amendment), 2018.

3. As per the prosecution story, the Police during the patrolling, reached the place near railway track. Three persons, Vikash Kumar Paswan, Diya Malik and Mithhu Malik were arrested along with six liter country made liquor, they named this petitioner. Accordingly, the FIR.

4. Learned Counsel for the petitioner submits that he has no criminal antecedent, nothing has been recovered from his conscious possession and only because he was named, the case.



5. Learned APP for the State, Mr. Jitendra Kumar Singh, on the other hand, opposes the prayer for anticipatory bail submitting that those arrested named him.

6. Considering the aforesaid facts as also that nothing has been recovered from his conscious possession nor he has criminal antecedent, in that background, this Court is inclined to grant him the anticipatory bail with conditions.

7. However, if it is found that contrary to the statement made in paragraph 3, the petitioner has criminal antecedent, the present order shall become infructuous.

8. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge (Excise-II), Saharsa, ACJM, Araria in connection with Saharsa Sadar P.S. Case No. 528 of 2025 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives 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 attendance and at the end of the period, the certificate be submitted to the Court;

(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 the bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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