

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.531 of 2016

Arising Out of PS.Case No. -31 Year- 2015 Thana -SALAIYA District- AURANGABAD

- =====
1. Sanju Devi Wife of Anil Ramani
 2. Sunil Ramani Son of Bijay Rahamni Both resident of Village- Udham Bigha, P.S. Salaiya, District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kamendra Pd. Singh

For the Opposite Party/s : Mr. R.S.Choudhary (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 08-01-2016

Petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 272, 273, 290 of the Indian Penal Code and Section 47(a) of the Excise Act.

From the house of the petitioners 65 bottle of liquor each 200 ML and 65 litres of spirit were recovered.

It is submitted by learned counsel for the petitioners that recovery is from the joint family house. The F.I.R was registered on 22.10.2015 but it reached to the Court of learned Magistrate on 28.10.2015. Hence, delayed reaching of the F.I.R suggests that by antedating the F.I.R has been registered.

Considering the quantum of recovery and petitioner No. 1 being lady, let the petitioner No.1, above named, in the event of her arrest or surrender before the Court

below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Aurangabad in connection with Salaiya P.S. Case No. 31 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

So far as petitioner No. 2 is concerned, let the learned Court below consider the prayer for regular bail of petitioner No. 2, above named, keeping in view of the fact that recovery was made from the joint family house, if he surrenders within a period of six weeks in connection with Salaiya P.S. Case No. 31 of 2015, pending in the Court of learned Judicial Magistrate, 1st Class, Aurangabad.

(Dinesh Kumar Singh, J)

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