

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.66656 of 2018

Arising Out of PS. Case No.-113 Year-2018 Thana- SALIMPUR District- Patna

1. Sabuja Devi, Wife of Birju Paswan.

2. Punit Paswan, Son of Birju Paswan.

Both Resident of Village-Bihata, Police Station-Salimpur,
District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tej Narayan Singh, Adv.

For the Opposite Party/s : Dr. Indihar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 17-12-2018 The petitioners seek bail in anticipation of their arrest in connection with Special (Excise) Case No. 4043 of 2018, arising out of Salimpur P.S. Case No. 113 of 2018, dated 29.04.2018, instituted for the offences under Sections 147, 148, 341, 323, 307, 379, 511, 353 and 504 of the Indian Penal Code and Section 30(A) of the Bihar Prohibition and Excise Act, 2016.



On secret information that liquor is being sold illegally in village-Bihata, a raid was conducted. On seeing the police party, a person started running away. He was nabbed and he disclosed his name as Birju Paswan. The petitioners are the wife and son of aforesaid Birju Paswan respectively. The F.I.R. further indicates that aforesaid Birju Paswan arranges for the liquor, which is sold to the villagers by the petitioners.

The learned counsel for the petitioners has submitted that 126 bottles/pouches containing 200 ml. each of local liquor were found from a place situated very close to the dwelling house of aforesaid Birju Paswan.

The petitioners do not have any criminal antecedents.

Considering the gender of petitioner No. 1/Sabuja Devi, she, in the event of her arrest or surrender before the learned Court below within a period of four weeks from the date of receipt/production of a copy of the present order, is directed to be released on bail on her furnishing bail bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two



sureties of the like amount each to the satisfaction of learned Special Judge (Excise), Patna in connection with Special Case No. 4043 of 2018, arising out of Salimpur P.S. Case No. 113 of 2018, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The prayer for grant of anticipatory bail of petitioner No. 2/Punit Paswan is rejected.

However, petitioner No. 2 may approach the Court below within a period of four weeks from today and seek regular bail. Should such an application be filed within the stipulated period, the Court below shall pass orders in accordance with law on its own merits without being prejudiced by the fact that the present anticipatory bail application has not been entertained by this Court.

(Ashutosh Kumar, J)

Praveen-II/-

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