

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.67498 of 2018

Arising Out of PS. Case No.-248 Year-2018 Thana- MAHESI District- East Champaran

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1. Vimla Devi Wife of Rajendra Choudhary
 2. Rajendra Choudhary Son of Late Sitaram Choudhary Both resident of Village-Harpur Nag, Police Station-Mehasi, Distt.-East Champaran

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. Ataur Rahman

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA

ORAL ORDER

2 04-12-2018 Heard learned counsel for the petitioners as well as learned Additional Public Prosecutor for the State.

Petitioners apprehend their arrest in connection with Mehasi P.S. Case No. 248 of 2018 registered for the offences punishable under Sections 30, 38, 37(d) of Bihar Prohibition of Excise Act, 2016.

The alleged recovery is said to have been made from behind the house of the petitioners and admittedly, petitioners were not caught on the spot rather one co-accused, Dinesh Kumar was caught and disclosed the name of petitioners. Para 3 of the petition goes to show that petitioners do not have any criminal antecedent.



Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that petitioners, in the event of their arrest/ surrender within four weeks from the date of receipt of this order to the court concerned, shall be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned 7th Additional Sessions Judge-cum-Special Judge, Excise, East Champaran at Motihari in Mehasi P.S. Case No. 248 of 2018, subject to conditions as laid down under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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