

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.2462 of 2018

Arising Out of PS.Case No. -313 Year- 2017 Thana -GAUTAMBUDHNAGAR District- SIWAN

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1. Suganti Devi, Wife of Late Banke Lal Mahto.
 2. Sharda Devi @ Shrdha Devi, Wife of Dilip Chaudhary.
 3. Manju Devi, Wife of Manoj Chaudhary.
 4. Gyanti Devi, Wife of Chhoten Lal Chaudhary.
 5. Manoj Chaudhary, Son of Ram Pravesh Chaudhary.
 6. Dilip Chaudhary, son of Late Satya Narayan Chaudhary.
 7. Chandrawati Devi, Wife of Dudhnath Chaudhary, All residents of Village- Dindayalpur, Chaudhary Tola, Police Station- G.B. Nagar, District- Siwan.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Shyamal Prakash, Advocate.

For the Opposite Party : Mr. Bhanu Pratap Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 12-01-2018 Learned counsel for the petitioners seeks permission to withdraw the anticipatory bail application on behalf of petitioner no. 6, Dilip Chaudhary as he has been arrested in connection with G.B. Nagar P.S. Case No. 313 of 2017, pending in the court of learned 2nd Additional Sessions Judge-cum-Special Judge, Siwan.

Permission is accorded.

The present anticipatory bail application in respect of petitioner no. 6 Dilip Chaudhary is dismissed as withdrawn.

Heard learned counsel for the petitioners and learned



counsel for the State.

The petitioners are apprehending their arrest in a case for the offence registered under Sections 272, 273, 308 of the IPC and 30, 34, 36 and 38 of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 62 liters wine is said to have been recovered.

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. It is alleged that total 62 liters wine is recovered from joint house of the petitioners. The name of the petitioners has transpired in the present case as the alleged recovery has been made from joint house of the petitioners where other family members also reside. The petitioner nos. 1 to 4 are ladies. Nothing incriminating has been recovered from the conscious possession of the petitioners. The petitioners had no knowledge regarding the alleged incident. There is no compliance of Section 100 Cr. P.C.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.



Considering the aforesaid facts and circumstances, let the petitioners (except petitioner no. 6 Dilip Chaudhary) above named, in the event of 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/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned 2nd Additional Sessions Judge-cum-Special Judge, Siwan, in connection with G.B. Nagar P.S. Case No. 313 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

