

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7865 of 2019

Arising Out of PS. Case No.-423 Year-2018 Thana- DUMRAO District- Buxar

-
1. ANITA DEVI, wife of Manoj Chaudhary
 2. Anjoriya Devi, wife of Sadhu Chaudhary
 3. Meena Devi, wife of Khuri Chaudhary
 4. Suman Devi, wife of Maul chaudhary
 5. Durpati Devi, wife of Nanhal chaudhary
 6. Champa Devi, wife of Shri Naulesh Chaudhary @ Shri Niwash Chaudhary
 7. Shanti Devi @ Manti Devi, wife of Kalu Chaudhary
 8. Asha Devi, wife of Sanjay Chaudhary
- all are resident of Village- Purana Bhojpur, P.S- Dumraon (Naya Bhojpur O.P), District-Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramakant Yadav, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 11-02-2019 Heard learned Counsel for the petitioners and learned APP
for the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise, Act, 2016.

The prosecution case got initiated on the basis of written report dated 30.10.2018 submitted by Md. Hamid to the Station House Officer, Naya Bhojpur Police Station is to the effect that on 29.10.2018 at 9.00 A.M., during patrolling the informant after having received information to the effect that some women



are indulged in the business of preparing and selling of the illegal liquor, a raid was laid, but on seeing the police party, the women escaped from the scene. However, 80 litres of country made liquor contained in five plastic containers were recovered. On enquiry, the local people suggested the name of forty persons, including the petitioners, who were indulged in the business of preparing and selling of the illegal liquor.

It is submitted by learned counsel for the petitioners that admittedly the recovery has not been made from the physical conscious possession of the petitioners. A statement has been made in paragraph no.3 of the petition that the petitioners being ladies are not having any criminal antecedent.

It is submitted by learned APP for the State that on the basis of a secret information, the raid was laid, when during enquiry, it was found that the petitioners are indulged in the business of preparing and selling of illegal liquor.

Considering the fact that the accusation does not suggest the recovery from the conscious physical possession of the petitioners, coupled with statement made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the



learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned ADJ-II-cum-Special Judge (Excise) at Buxar, in connection with Dumraon (N.B.) P.S. Case No.423 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

Ashwini/-

U		T	
---	--	---	--

