

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8300 of 2019

Arising Out of PS. Case No.-461 Year-2018 Thana- DUMRA District- Sitamarhi

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1. HALIMA KHATOON W/o Md. Shaim @ Md. Salim @ Salim Resident of Village- Barharwa, Ward No. 20, P.S.- Dumra
 2. Md. Shalim @ Md. Salim @ Salim Son of Late Ajim, Resident of Village- Barharwa, Ward No. 20, P.S.- Dumra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shankar Kumar

For the Opposite Party/s : Mr.Pronoti Singh

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL ORDER

2 13-02-2019 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

In this case, the petitioners are seeking anticipatory bail in connection with Durma P.S. Case No. 461 of 2018 registered for offence punishable under sections 272 and 273 of the Indian Penal Code and 30 (a), 38, 41, 37(B) (C) of Bihar Prohibition and Excise Act, 2016.

Allegation has been made that three pouches containing 300 ml liquor have been recovered from the courtyard of the petitioners. As has been mentioned in paragraph 3 of this application that the petitioners have no criminal antecedent.

Looking to the quantity of liquor and the clean



antecedent of petitioners, their prayer for bail is allowed and they, in the event of arrest or surrender before the court below within six weeks from today, are directed to be enlarged on anticipatory bail on furnishing bail bonds of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of 2nd A.D.J.-cum-Special Judge, Excise Act, Sitamarhi in connection with Durma P.S. Case No. 461 of 2018, subject to the conditions as laid down under section 438 Cr. PC and also subject to the condition that one of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court. The petitioners will not induce any witness or tamper with the evidence. The petitioners shall cooperate in the disposal of trial and make himself available as and when required by the court. If the petitioners are found involved in similar type of allegation in future, the prosecution will have liberty to file an application for cancellation of their bail. The court below will verify the antecedent of the petitioners.

(Shivaji Pandey, J)

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