

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34061 of 2019

Arising Out of PS. Case No.-205 Year-2019 Thana- BANKA District- Banka

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1. Laxmi Devi, Wife of Late Sakaldeo Choudhary, Resident of Village-Karhariya, Ward No.12, Nagar Parishad Banka, P.S. and District-Banka.
 2. Bideshi Choudhary, Son of Kuldeep Choudhary, Resident of Village-Karhariya, Ward No.12, Nagar Parishad Banka, P.S. and District-Banka.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Indeshwari Prasad Mandal, Advocate
For the Opposite Party/s : Mr.Md. Mushtaque Alam, APP

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 23-05-2019 Heard learned counsel for the petitioners and the
learned counsel appearing on behalf of the State.

The petitioners are apprehending their arrest in connection with Banka P.S. Case No.205 of 2019 for allegedly having committed the offence under Sections 30(a) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioners submits that the alleged recovery was not from the conscious possession of the petitioners but from the *Gumti* belonging to some other person. It is further submitted that the alleged recovery was of toddy and not liquor.

Considering the fact that the alleged recovery was not



from the conscious possession of the petitioners and also that the petitioners have got no criminal antecedents, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, 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 the learned A.D.J. II, Banka, in connection with Banka P.S. Case No.205 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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