

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.70667 of 2018

Arising Out of PS. Case No.-70 Year-2018 Thana- BITHAN BAZAR District- Samastipur

1. Ramdhulari Devi @ Ramdularidevi, W/o- Sudhesh Mukhiya,
2. Turantalal Mukhiya, S/o- Late Ramshwarup Mukhiya and
3. Ghuran Mukhiya, S/o- Late Raudi Mukhia All Resident of Bhakhari, P.S.- Bithan, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vasudeo Ram

For the Opposite Party/s : Mrs. Veena Rani Prasad.

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 10-01-2019 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 272 and 273 of the IPC and Section 30(a), (b) of the Bihar Prohibition and Excise Act, 2016 (hereinafter referred to as ‘the Act’).

The prosecution case is that on secret information being received by the informant being A.S.I. of Bitham Police Station that certain persons are manufacturing and selling country made liquor, whereupon the raid was laid by the informant when four litres country made illicit liquor from joint family house of each four accused persons including the petitioners, were recovered.

It is submitted by learned counsel for the petitioners that recovery of country liquor was made from the joint family



house of all the accused persons including the petitioners and there is nothing on record to suggest that the petitioners were manufacturing country made liquor. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP submits that recovery of country made liquor has been made from the petitioners also.

Considering the quantity of recovery, particularly from the joint family house, coupled with the statement made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent, let the above named petitioner be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned A.D.J.-VI-cum-Spl. Judge, Excise, Samastipur in connection with Bithan P.S. Case No. 70 of 2018, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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