

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2468 of 2020

Arising Out of PS. Case No.-339 Year-2019 Thana- KHUSRUPUR District- Patna

1. Renu Devi W/o Ranjit Rai R/o village- Kurtha, P.S.- Khusrupur, District- Patna
2. Dipak Kumar S/o Ranjit Rai R/o village- Kurtha, P.S.- Khusrupur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Mishra, Advocate

For the Opposite Party/s : Mr.Pradeep Narain Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

2 28-02-2020 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners have filed the instant application for grant of anticipatory bail apprehending their arrest in connection with Khusrupur P.S. Case no. 339 of 2019 registered for the offence under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per the allegation in the FIR, a total of 84 litres of Mahua liquor is said to have been recovered of which 19 litres was recovered from a motorcycle while 65 litres was recovered from two containers inside the house.

It is submitted by learned counsel for the petitioners that the petitioner no. 1 happens to be the wife of Ranjit Rai co-



accused in this case and the petitioner no. 2 happens to be his son. It is further submitted that from the seizure list itself it would be evident that the house from which the alleged recovery is said to have taken place has been described as being that of Ranjit Rai. It is further stated that the so called recovery was behind the back of these petitioners. It is finally submitted that the petitioners have no criminal antecedent.

On query by the Court, it is submitted by learned counsel for the petitioner that so far as co-accused Ranjit Rai is concerned Cr. Misc. No 4819 of 2020 had been filed by him in this Court praying for grant of anticipatory bail but during pendency of the said case, he has been taken into custody.

The application for bail has been opposed by learned APP for the State.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of six weeks from today and in the event of their arrest or surrender in connection with Khusrupur P.S. Case no. 339 of 2019 they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the



satisfaction of learned Special Judge Excise, Patna subject to
the condition as laid down under section 438(2) of Criminal
Procedure Code.

(Partha Sarthy, J)

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