

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3604 of 2020

Arising Out of PS. Case No.-347 Year-2019 Thana- DESARI District- Vaishali

-
1. MEENA DEVI Wife of Late Badri Chaudhary Resident of Village - Desari Bishhar Sthan, P.S.- Desari, District- Vaishali
 2. Ranjeet Chaudhary @ Bhulla Son of Late Badri Chaudhary Resident of Village - Desari Bishhar Sthan, P.S.- Desari, District- Vaishali

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Anuj Kumar, Advocate
For the Opposite Party/s : Mr.Pushpa Sinha,APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 21-01-2020 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners in the present case are seeking anticipatory bail in connection with Desari P.S. Case No. 347 of 2019 registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise Act.

Learned counsel for the petitioners submits that the alleged recovery of liquor has been from a *plani* situated inside the house which is in joint possession of many members and the petitioners are not responsible for the alleged recovery of liquor. It is further submitted that the petitioner no. 1 is a widow and is dependent upon her son for her livelihood.

Learned APP has opposed the prayer of anticipatory bail.



Considering the facts and circumstances of the case wherein it is submitted by learned counsel for the petitioners that the petitioner no. 1 is widow and she depends for her livelihood on her son and she was not aware of any illicit liquor being present in the house, let the petitioner no. 1 Meena Devi, in case of her arrest or surrender within a period of four weeks from today in connection with Desari P.S. Case No. 347 of 2019 be released on bail on furnishing of bail bond of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge Hind-cum-Excise Court, Vaisahli at Hajipur, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.



So far as petitioner no. 2 is concerned, he is said to be the son of petitioner no. 1 and considering that he is now managing the affairs of the household and huge quantity of liquor has been recovered from the house, this Court is not inclined to grant privilege of anticipatory bail to petitioner no. 2. His prayer is thus, refused.

In case the petitioner no. 2 surrenders and prays for regular bail before the learned court below within a period of four weeks from today, his prayer for bail shall be considered on its own merit without being prejudiced by the present order of this Court.

(Rajeev Ranjan Prasad, J)

avin/-

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

