

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9580 of 2020

Arising Out of PS. Case No.-243 Year-2019 Thana- SIDHWALIYA District- Gopalganj

1. Dhirendra Singh, Son of Late Bichari Singh Resident of Village - Gorakh Nath, P.S.- Gorakh Nath, District- Gorakhpur (Uttar Pradesh)
2. Manju Devi, Wife of Hari Shankar Mahto, Resident of Village - Buchiya, P.S.- Sidhwalia, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Radha Mohan Singh
For the Opposite Party/s : Mr. Upendra Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 06-03-2020 Heard learned counsel for the petitioners and learned counsel appearing on behalf of the State.

Petitioners apprehend their arrest in connection with Sidhwalia P.S. Case No. 243 of 2019, registered for the offence punishable under Sections 414/34 of the Indian Penal Code.

The allegation against the petitioners as per First Information Report is that the police recovered a total quantity of 1.08 litres of illicit liquor from behind the house of petitioner No.2, kept under heap of ash.

Mr. Radha Mohan Singh, learned counsel appearing for the petitioners submits that the petitioners have not committed any offence in the manner alleged and the petitioner No.1 has been made accused on the basis of the alleged secret information received by the police. Learned counsel further submits that no



illicit liquor has been recovered from the conscious possession or the premises belonging to the petitioner No.2, inasmuch as from perusal of the First Information Report, it would be evident that illicit liquor has been recovered behind the house of the petitioner No.2 under heap of ash, which is easily accessible to all people.

Having heard learned counsel for the parties and taking into consideration the fact that no illicit liquor has been recovered from the conscious possession or the premises belonging to the petitioners and the petitioners have got no criminal antecedent, I am inclined to grant anticipatory bail to the petitioners.

Accordingly, let the petitioners, above named, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned 2nd Additional District and Sessions Judge-cum-Special Judge, Excise, Gopalganj, in connection with Sidhwalia P.S. Case No. 243 of 2019, subject to the condition as mentioned under Section 438 (2) of Cr.P.C.

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(Anil Kumar Sinha, J)

