

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8177 of 2019

Arising Out of PS. Case No.-423 Year-2018 Thana- DUMRAO District- Buxar

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1. BASMATIYA DEVI W/o Nathuni Chaudhari Resident of Village- Purana Bhojpur, P.S.- Dumraon (Naya Bhojpur O.P.), District-Buxar.
 2. Parwati Devi W/o Late Jago Chaudhari Resident of Village- Purana Bhojpur, P.S.- Dumraon (Naya Bhojpur O.P.), District-Buxar.

... .. Petitioners.

Versus

The State of Bihar

... .. Opposite Party.

Appearance :

For the Petitioners	:	Mr. Ramakant Yadav, Advocate.
For the State	:	Mr. Md. Anbzarul Haque Sahara, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

4 31-01-2020 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Dumraon (N.B.) P.S. Case No.423 of 2018 registered under Section 30(a) of the Bihar Excise Act, 2018.

The accusation is that on receiving the secret information about preparation and selling of liquor by the ladies near Dih Baba, situated at Old Bhojpur, the informant along with other police personnel reached there. On seeing the police party, some ladies, who were sitting at the field, at the some distance of Dih Baba, started to flee away. While they were chased but they succeeded to flee away, taking the advantage of



the darkness. On search, two containers, total containing 40 liters, two containers, total containing 30 liters, and one container, total containing 10 liters, of country made liquor, were recovered from there. On query, the persons, who were present there, disclosed the name of 14 persons including the petitioners, who succeeded to flee away.

Learned counsel for the petitioners submits that neither the petitioners were apprehended on the spot nor any recovery was made from their houses. The petitioners have falsely been implicated in this case and they have no criminal antecedents. Further submission is that 8 others similarly situated co-accused have already been granted the privilege of pre-arrest bail by a Bench of this Court vide order dated 11.02.2019 passed in Criminal Misc. No.7865 of 2019.

Having considered the facts and the circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender by them within six weeks from today, be enlarged on bail on their furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge-II-cum-Special Judge (Excise) at Buxar, in connection with Dumraon (N.B.) P.S. Case No.423 of 2018, subject to the



conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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