

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29043 of 2020

Arising Out of PS. Case No.-27 Year-2020 Thana- SAHIYARA District- Sitamarhi

1. LAULUN DEVI W/o Lalu Paswan
2. Anil Paswan Son of Lalu Paswan
Both R/o Village- Sahiyara, Ward No.6, P.S.- Sahiyara, District-
Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha

For the Opposite Party/s : Mr.A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 02-12-2020 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners apprehend their arrest in connection with Sahiyara P.S. Case No. 27/2020 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act.

As per the prosecution case, 56 bottles of Nepali Saufi Wine has been recovered from the grocery shop of the petitioner No. 2. Petitioner No. 1 is the mother of petitioner No. 2.

It is submitted that recovery has been made from the shop of petitioner No. 2 and not from the possession of these petitioners. It is further submitted that petitioner No. 1 is lady



aged about 44 years and has no criminal antecedent as stated in paragraph No. 3 of the petition.

Considering the aforementioned facts and circumstances, the anticipatory bail application of petitioner No. 1 (Laulun Devi) is allowed and so far as the the prayer for bail of petitioner No. 2 (Anil Paswan) is concerned, it is rejected as recovery has been made from the shop of petitioner No. 2.

Accordingly, let the petitioner No. 1 (Laulun Devi) be released on bail, in the event of her arrest or surrender before the court below within a period of eight weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge-cum-Special Judge, Excise, Sitamarhi, in connection with Sahiyara P.S. Case No. 27/2020, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Prabhat Kumar Singh, J)

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