

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35209 of 2021

Arising Out of PS. Case No.-120 Year-2020 Thana- SIMRA District- West Champaran

1. VIJAY LOHDA @ VIJAY MAHTO Son of Basudeo Lohada Resident of Village - Vijay Nagar Semra, P.S.- Semra, Dist.- West Champaran.
2. Geeta Devi W/o Ramanand Ram Resident of Village - Vijay Nagar Semra, P.S.- Semra, Dist.- West Champaran.
3. Anshu Kumari D/o Jagdish Lohda Resident of Village - Vijay Nagar Semra, P.S.- Semra, Dist.- West Champaran.
4. Sajaniya Devi W/o Basdeo Mahto @ Bansdev Mahto Resident of Village - Vijay Nagar Semra, P.S.- Semra, Dist.- West Champaran.
5. Pairo @ Reeta Devi W/o Dinatnath Mahto Resident of Village - Vijay Nagar Semra, P.S.- Semra, Dist.- West Champaran.
6. Sanju Devi W/o Shambhu Lodha Resident of Village - Vijay Nagar Semra, P.S.- Semra, Dist.- West Champaran.
7. Punam Devi W/o Umesh Lohda Resident of Village - Vijay Nagar Semra, P.S.- Semra, Dist.- West Champaran.
8. Rambha Devi W/o Bharat Lohda Resident of Village - Vijay Nagar Semra, P.S.- Semra, Dist.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Kishor Mishra

For the Opposite Party/s : Mr.Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 29-09-2021 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 147, 148, 149, 341, 323, 324, 307, 196, 332, 353, 224, 504, 506 of the Indian Penal Code and 45 of the Bihar Prohibition and Excise Act, 2016.



The prosecution allegation, in short, is that when the police personnel reached the place of occurrence to arrest an accused person who was involved in trade of illicit wine, the accused persons became aggressive and started abusing the police party and also assaulted due to which some members of police party got injury.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. General and omnibus allegation has been made against the petitioners. No specific overt act is alleged against the petitioners. Petitioner Nos. 2 to 8 are ladies. The accused persons are alleged to have rescued the accused persons from the police custody. There is no recovery of liquor from the possession of the petitioners. They have been made accused in the present case for oblique reasons.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail



bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Bettiah, West Champaran in connection with Semra P.S. Case No. 120 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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