

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.34802 of 2021**

Arising Out of PS. Case No.-50 Year-2021 Thana- ATRI District- Gaya

1. MUSKAN KUMARI @ MUSKANI KUMARI D/O RAMASHISH YADAV  
R/O VILLAGE BHAWANI BIGHA, P.S-MAHKAR, DISTRICT GAYA
2. PINKI DEVI W/O AWADHESH YADAV R/O VILLAGE BHAWANI  
BIGHA, P.S-MAHKAR, DISTRICT GAYA
3. BABITA KUMARI @ BINITA KUMARI D/O RAJNANDAN YADAV R/O  
VILLAGE BHAWANI BIGHA, P.S-MAHKAR, DISTRICT GAYA
4. LALITA DEVI W/O RAMNANDAN YADAV @ RANNANDAN YADAV  
R/O VILLAGE BHAWANI BIGHA, P.S-MAHKAR, DISTRICT GAYA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Shailesh Kumar  
For the Opposite Party/s : Mr.A.G.

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      17-09-2021                      Heard learned counsel for the petitioners and the  
State through virtual mode.

Learned counsel for the petitioners is directed to  
remove the defect(s), as pointed out by the office, within a  
period of four weeks after restoration of normalcy.

The petitioners are apprehending their arrest in Atri  
P.S. Case No. 50 of 2021 registered for the offence under  
Sections-147, 148, 149, 341, 323, 325, 307, 332, 333, 353, 427,  
272, 273 of the Indian Penal Code and Section-30(a)(d) of the  
Bihar Prohibition and Excise (Amendment) Act, 2018.



The prosecution case, in short, is that 15 liters liquor and some other articles like gas cylinder and utensils are recovered.

It has been submitted on behalf of the petitioners that petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against them. They have been falsely implicated in the present case. It is alleged that 15 liters liquor and some other articles like gas cylinder and utensils are recovered from Pind of the village. Petitioners are ladies. General and omnibus allegation has been made against them. It is alleged that they tried to rescue the arrested person, Awadhesh Yadav from the custody of police. No specific overt act is alleged against the petitioners. The names of the petitioner have transpired in this case on the basis of disclosure made by local chowkidar. Except for this, there is no other substantive evidence to suggest the implication of the petitioners in the present case. Nothing incriminating has been recovered from the conscious possession of the petitioners. The petitioners had no knowledge regarding the alleged incident. There is no compliance of Section 100 Cr.P.C.

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



Considering the aforesaid facts and circumstances of the case, 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 their personal bond to the satisfaction of learned Special Judge, Excise, Gaya in connection with Atri P.S. Case No. 50 of 2021 , subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioners shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of eight weeks to the satisfaction of the court concerned in connection with the aforesaid case.

**(Sudhir Singh, J)**

A.K.V.//-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

