

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37451 of 2020

Arising Out of PS. Case No.-98 Year-2020 Thana- BAIRIYA District- West Champaran

1. Bhikarniya Devi alias Bachiya Devi Wife of Malakh Mukhiya
 2. Bablu Mukhiya Son of Malakh Mukhiya
Both resident of Village-Bairiya, P.S.-Bairiya, District-West Champaran.
- Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shivjee Singh

For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 30-06-2021 Learned counsel for the petitioners seeks permission to withdraw the anticipatory bail petition of Bablu Mukhiya(petitioner No.2) as he has also got criminal antecedent.

Prayer is allowed. The anticipatory bail petition of petitioner No.2 is dismissed as withdrawn.

Heard both sides through video conferencing.

The petitioner No.1 apprehends her arrest in Bairiya P.S. Case No.98 of 2020 registered under Sections 30(a) and 37(c) of Bihar Prohibition and Excise Act.

The informant got information that Chhotelal Choudhary is selling liquor in his house and on such, a raid was conducted. 3.4 liters of liquor was recovered from the house of Chhotelal Choudhary. During the course of raid, the informant further received information that Malakh Mukhiya also runs



liquor business and on such, the house of Malakh Mukhiya was raided and 109 liters of liquor was recovered from his house. It is alleged that the wife and the son of Malakh Mukhiya managed to flee away.

Learned counsel for the petitioners submits that petitioner No.1 is the wife of Malakh Mukhiya. There is no material to show that the petitioner No.1 was also helping her husband in selling liquor. Petitioner No.1 is a lady and she has got no criminal antecedent.

Taking into consideration the facts aforesaid and nature of allegation made against the petitioner No.1 and the fact that the petitioner No.1 is a lady, let the petitioner No.1, above named, in the event of her arrest or surrender within a period of four weeks be released on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Bettiah, West Champaran in connection with Bairiya P.S. Case No.98 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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