

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49146 of 2021

Arising Out of PS. Case No.-383 Year-2020 Thana- BARH District- Patna

1. HEMANTI DEVI Wife of Mithun Chaudhary Resident of Village- Agwanpur, P.s.- Barh, District- Patna.
2. Sana Devi Wife of Bishun Chaudhary Resident of Village- Agwanpur, P.s.- Barh, District- Patna.
3. Khushboo Devi Wife of Rishi Chaudhary Resident of Village- Agwanpur, P.s.- Barh, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Tej Narayan Singh, Advocate
For the Opposite Party/s : Mr.Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-11-2021 Heard learned counsel for the petitioners and learned
APP for the State.

Counsel for the petitioners is directed to remove the defect(s), as pointed out by the office, within a period of eight weeks.

The petitioners are apprehending their arrest in connection with Barh P.S. case No.383 of 2020 registered under Sections 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 500 liters wine is recovered.

It has been submitted on behalf of the petitioners that



the petitioners have got no criminal antecedent and there is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in this case. The names of the petitioners have transpired in this case on the basis of disclosure made by the local Chaukidar as per F.I.R. Except for this, there is no other substantive evidence to suggest the implication of the petitioners in this case. It is alleged that 500 liters wine is recovered from the godowns of the husbands of the petitioners, which belong to the joint family of the petitioners. The petitioners are ladies. The petitioners had no knowledge regarding the alleged incident. Nothing incriminating has been recovered from the conscious possession of the petitioners. 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 complaint case/F.I.R.

Considering the facts and circumstances of the case, the petitioners, above named, in the event of arrest or 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/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge (Excise), Patna in connection with Barh P.S. case No.383 of



2020, subject to the conditions as laid down under Section
438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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