

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3660 of 2022

Arising Out of PS. Case No.-332 Year-2021 Thana- SAHEBGANJ District- Muzaffarpur

1. MD. MINTU @ ALI AHMAD S/o Late Dosh Mohammad Resident of Village - Nawanagar Nijamat, Naughariya Tola Ward No. 10, P.S. - Sahebganj, District - Muzaffarpur.
2. Sanjeewan Khatoon @ Nazama Khatoon W/o Md. Mintu @ Ali Ahmad Resident of Village - Nawanagar Nijamat, Naughariya Tola Ward No. 10, P.S. - Sahebganj, District - Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajiv Kumar, Adv.

For the Opposite Party/s : Mr.Binod Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 06-05-2022 Heard both sides.

Petitioners apprehend their arrest in Sahebganj P.S.

Case No.332 of 2021 registered under Sections 272, 273/34 of the Indian Penal Code and section 30(a) of the Bihar Prohibition and Excise Act.

Learned counsel for the petitioners submits that the petitioners have committed no offence and have falsely been implicated in this case on the instigation of their enemies. He also submits that petitioner no.2 is a lady. The petitioners have got no criminal antecedent.

Learned A.P.P. for the State has opposed the prayer for bail of petitioner no.1 by contending that the alleged liquor has

been recovered from the house of petitioner no.1. Therefore, he does not deserve anticipatory bail.

Having considered the above facts and circumstances of the case, petitioner no.2, above named, in the event of her arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing personal bond to the satisfaction of learned Special Judge, Excise Act, Muzaffarpur in connection with Sahebganj P.S. Case No.332 of 2021 subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

So far as petitioner no.1 is concerned, having considered the facts and circumstances of the case as well as the nature of allegation made against him, this Court is not inclined to enlarge petitioner no.1 on anticipatory bail. Accordingly, his prayer for bail is rejected.

(Arvind Srivastava, J)

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