

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14131 of 2022

Arising Out of PS. Case No.-262 Year-2021 Thana- CHAINPUR District- Kaimur (Bhabua)

1. Mahendra Rajbhar Son of Rajdhari Rajbhar Resident of Village- Bhalubadhan, P.S.- Chainpur, District- Kaimur at Bhabua.
2. Deuva Devi Wife of Mahendra Rajbhar Resident of Village- Bhalubadhan, P.S.- Chainpur, District- Kaimur at Bhabua.
3. Vikash Rajbhar Son of Mahendra Rajbhar Resident of Village- Bhalubadhan, P.S.- Chainpur, District- Kaimur at Bhabua.
4. Surendra Rajbhar Son of Late Shivdhari Rajbhar Resident of Village- Bhalubadhan, P.S.- Chainpur, District- Kaimur at Bhabua.
5. Ramjee Rajbhar Son of Sita Rajbhar Resident of Village- Bhalubadhan, P.S.- Chainpur, District- Kaimur at Bhabua.
6. Guddu Rajbhar Son of Rampati Rajbhar Resident of Village- Bhalubadhan, P.S.- Chainpur, District- Kaimur at Bhabua.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr.Rajani Kant Pandey, Advocate
For the Opposite Party : Mr.Shakir Ahmad, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 11-04-2022 Heard the parties.

The petitioners apprehend their arrest in connection with Chainpur P.S. Case No. 262 of 2021 registered for the offence under Sections 30(A)/30(d) of the Bihar Prohibition and Excise (Amendment) Act, 2018 and Sections 3 and 4 of Bihar Mahua Flower Act, 2006.

Petitioners are involved in manufacturing of illicit liquor.

Since petitioner no.2, namely, Deuva Devi is a lady,



her application for anticipatory bail is allowed.

Accordingly, let petitioner no.2, namely, Deuva Devi, in the event of her arrest or surrender within four weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned A.D. J No. II- cum- Special Judge (Excise), Kaimur at Bhabua in connection with Chainpur P.S. Case No. 262 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

So far as petitioner nos.1, 3, 4, 5, and 6, namely, Mahendra Rajbhar, Vikash Rajbhar, Surendra Rajbhar, Ramjee Rajbhar and Guddu Rajbhar are concerned, in view of the allegations levelled against them and in view of the fact that there is huge recovery of illicit liquor from their possession, this anticipatory bail application is not maintainable in view of the judgment of the Full Bench of this Court in the case of *Ram Binay Yadav Vs. The State of Bihar* reported in [2019 (2) PLJR 1089 (Full Bench)]. Accordingly, it is dismissed as not maintainable.

(Sandeep Kumar, J)

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