

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23392 of 2022

Arising Out of PS. Case No.-192 Year-2021 Thana- BHARGAMA District- Araria

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1. KUNDAN MUKHIYA S/o Mungilal Mukhiya R/o village- Navalganj, Mainpur, Ward No. 01, P.S.- Bhargama, District- Araria
 2. Rinki Devi @ Rinku W/o Bablu Mukhiya R/o village- Navalganj, Mainpur, Ward No. 01, P.S.- Bhargama, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kanchan Jha, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 05-08-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State through virtual Court proceedings.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 30(a), 30(c), 30(d), 44 and 34 of the Bihar Excise Act and Sections 272, 273 and 34 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioner no.2 is a female and petitioners are persons with clean antecedent and allegation is of recovery of 20 liters of liquor along with some unspecified raw materials from the house of one Mungilal Mukhiya .

Learned counsel for the petitioners submits that the petitioners were not apprehended from the spot as such nothing



was recovered from their conscious possession, it is next submitted that the alleged recovery is from the house of father of petitioner no.1, further the petitioner no.1 is staying separately from his father and petitioner no.2 also does not reside in that house, it is also submitted that because the recovery was made from the house of the father of the petitioner no.1, as such both the petitioners came to be implicated in a mechanical manner.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 1,000/- (Rupees One Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Bhargama P.S. Case No. 192 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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