

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37176 of 2021

Arising Out of PS. Case No.-190 Year-2017 Thana- BIRAUL District- Darbhanga

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1. NUNU LAL PASWAN Son of Late Ramfal Paswan Resident of Village- Lohani, P.S.- Biraul, District- Darbhanga.
 2. Rekha Devi Wife of Nunu LaL Paswan Resident of Village- Lohani, P.S.- Biraul, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha, Advocate
For the Opposite Party/s : Mr. Mithilesh Kumar Khare, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 14-06-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 272, 273 and 34 of the Indian Penal Code read with Sections 30(a) (g), 38(i) and 41(i) of the Bihar Excise Act.

Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the informant alleges that during the course of patrolling he received secret information that in village Lohani, Rekha Devi and Nunu Lal Paswan used to manufacture and sell illicit liquor, accordingly the police reached the place of occurrence and raided the house of the accused persons and recovered 20 litres toddy and jaggery



from their house but the accused persons were found absconding.

Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present case, petitioner no.2 is a lady, it is next submitted that the house is a joint family property as such it cannot be alleged that it were the petitioners who had got kept the toddy in the house.

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. 5,000/- (Rupees Five 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 Biraul P.S. Case No. 190 of 2017 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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