

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28661 of 2022

Arising Out of PS. Case No.-23 Year-2022 Thana- CHAND District- Kaimur (Bhabua)

1. SITA RAM RAM Son of Late Girja Ram Resident of village - Chand, P.S.- Chand, District - Kaimur at Bhabua.
2. Chavi Ram Son of Late Girja Ram Resident of village - Chand, P.S.- Chand, District - Kaimur at Bhabua.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar Singh, Advocate
For the Opposite Party/s : Mrs. Pushpa Sinha.1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 12-08-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State through the virtual Court proceedings.

Let the defect(s), if any, be removed within a period of
four weeks.

The petitioners apprehend their arrest in a case registered
for the offence punishable under Section 30(a) of the Bihar
Prohibition and Excise (Amendment) Act, 2018.

Learned counsel for the petitioners submits that petitioner
no. 1 has antecedent of one case and petitioner no. 2 is a person with
clean antecedent.

Allegation is of recovery of 9.900 litre of liquor from the
wife (Abhiraj Devi) of petitioner no. 1 which she was carrying in a
sack on her head.

Learned counsel for the petitioners submits that petitioners



were not arrested from the spot, as such, nothing was recovered from their conscious possession. He further submits that name of the petitioners came in the confessional statement of co-accused Abhiraj Devi. He next submits that petitioner no. 1, who is husband of Abhiraj Devi came to be implicated merely because his wife was arrested and petitioner no. 2 is the brother-in-law.

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 Chand P.S. Case No. 23 of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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