

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53068 of 2022

Arising Out of PS. Case No.-149 Year-2022 Thana- HATHAURI District- Muzaffarpur

1. SHABNAM DEVI Wife of Rambabu Sah Resident of Village Baluahan (Jaganathpur), P.S.- Hathauri, District - Muzaffarpur.
2. Siyavar Kumar Son of Rambabu Sah Resident of Village Baluahan (Jaganathpur), P.S.- Hathauri, District - Muzaffarpur.
3. Sudha Kumari wife of Siyavar Kumar Resident of Village Baluahan (Jaganathpur), P.S.- Hathauri, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Radhe Shyam, Advocate

For the Opposite Party/s : Dr. Mrityunjaya Kr.Gautam, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 14-10-2022 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 Section 353 of the Indian Penal Code and 30(a) of the Bihar Excise Act.

Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and petitioner nos. 1 and 3 are women and allegation is of recovery of 360 ml of liquor from the betel shop of Sanjay Sah, it is next alleged that the family members of Sanjay Sah tried to free him when police made endeavours to arrest him and thus created obstacle in government work.



Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in the present case, it is next submitted that the betel shop does not belong to the petitioners and since they were also present at the place of occurrence, as such they came to be implicated, it is next submitted that had the petitioners participated in the occurrence then the police would have arrested them at the spot.

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 trial court 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 trial court where the case is pending/successor court in connection with Hathauri P.S. Case No. 149 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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