

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53960 of 2022

Arising Out of PS. Case No.-134 Year-2022 Thana- DIGHWARA District- Saran

1. Manoj Nut Son of Late Chana Nut Resident of Village - Purani Bazar, Sitalpur, P.S.- Dighwara, District - Saran at Chapra.
2. Lattu Nut @ Laddu Nut Son of Late Kira Nut Resident of Village - Purani Bazar, Sitalpur, P.S.- Dighwara, District - Saran at Chapra.
3. Soni Devi Wife of Vijay Nut Resident of Village - Purani Bazar, Sitalpur, P.S.- Dighwara, District - Saran at Chapra.
4. Sanju Devi Wife of Arun Nut Resident of Village - Purani Bazar, Sitalpur, P.S.- Dighwara, District - Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Tiwary

For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 16-11-2022 Heard learned counsel for the petitioners and
learned APP for the State.

The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Dighwara P.S. Case no. 134 of 2022 instituted for the offence under Sections 147, 148, 341, 323, 353, 224, 511, 427, 504, 506 of the Indian Penal Code and Section 30(a)/37 of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 15 liters illicit country made liquor in plastic bag from the apprehended co-



accused persons.

Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. They have falsely been implicated in this case on the basis of mere suspicion. They have got no criminal antecedent. Petitioners have no concern with the alleged recovery of illicit liquor or with the place of occurrence. The name of the petitioners have been disclosed in this case by the co-accused persons, namely, Vijay Nut & Kanhai Nut, who were arrested on spot. It is further submitted that neither the petitioners were arrested nor on spot any incriminating article has been recovered from their conscious possession.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Dighwara P.S. Case no. 134 of 2022, they will be enlarged 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 Court of ADJ-IIInd-cum- Exclusive Special Judge Excise, Saran at Chapra subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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