

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54102 of 2022

Arising Out of PS. Case No.-69 Year-2022 Thana- SRINAGAR District- West Champaran

1. Sumitra Devi W/o Pannalal Mukhiya Resident of Village- Siswa Mangalpur, P.S.- Srinagar, District- West Champaran.
2. Girija Devi W/o Ramsurat Mukhiya Resident of Village- Siswa Mangalpur, P.S.- Srinagar, District- West Champaran.
3. Gyanti Devi W/o Dawarika Mukhiya Resident of Village- Siswa Mangalpur, P.S.- Srinagar, District- West Champaran.
4. Sharda Devi @ Sudha Devi W/o Hiralal Mukhiya Resident of Village- Siswa Mangalpur, P.S.- Srinagar, District- West Champaran.
5. Sonapal Mukhiya S/o Pannalal Mukhiya Resident of Village- Siswa Mangalpur, P.S.- Srinagar, District- West Champaran.
6. Govind Mukhiya S/o Hiralal Mukhiya Resident of Village- Siswa Mangalpur, P.S.- Srinagar, District- West Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Gupta
For the Opposite Party/s : Mr. Pradeep Narain Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 16-11-2022 At the outset, It is submitted by learned counsel for the petitioner that he seeks permission to withdraw this application against petitioner no.1 namely, Sumitra Devi.

Permission is accorded.

This application is dismissed as withdrawn against petitioner no.1 namely, Sumitra Devi.

So far as rest of the petitioners are concerned, the instant application for anticipatory bail has been filed by the



petitioners apprehending their arrest in connection with Srinagar P.S. Case no. 69 of 2022 instituted for the offence under Sections 147, 148, 149, 323, 342, 224, 225, 307, 332, 333, 353, 379, 504, 506 of the Indian Penal Code and Section 45 of the Bihar Prohibition and Excise Act.

As per allegation in FIR, when the police party reached at the house of Hiral Mukhiya, all the petitioners were creating hindrance in discharging the duty of police officials and tried to escape. It is further alleged that police recovered total 10 liters of illicit liquor from where.

Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. They have got no criminal antecedent. Petitioners have no concern with the alleged recovery of illicit liquor. It is further submitted that there is general and omnibus allegations against these petitioners. Neither the petitioners were arrested on spot nor 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 petitioner nos. 2 to 6 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 Srinagar P.S. Case no. 69 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 Exclusive Special Court, Excise, Bettiah, West Champaran subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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