

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61429 of 2022

Arising Out of PS. Case No.-370 Year-2022 Thana- KATEYA District- Gopalganj

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1. GUDDU MADHESIA Son of Rajbali Madhesia Resident of Village - Manjhariya, P.S.- Kateya, District - Gopalganj.
 2. Rekha Devi Wife of Guddu Madhesia Resident of Village - Manjhariya, P.S.- Kateya, District - Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Dubey, Advocate

For the Opposite Party/s : Mr. Md. Anbzarul Haque Sahara, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 28-11-2022 Learned counsel for the petitioners seeks permission to rectify the pleadings at para 1 and prayer portion of the anticipatory bail application in course of the day.

Permission is accorded.

Heard learned counsel for the petitioners and learned A.P.P. for the State.

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 petitioners are persons with clean antecedent and petitioner no. 2 is a woman.

The informant alleges that 6.400 litres of liquor was



recovered from a gunny bag allegedly thrown by the petitioners who were identified by the Chawkidar.

Learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case. It is further submitted that petitioners were not arrested from the spot, as such, nothing was recovered from their conscious possession. It is next submitted that the Chawkidar with whom petitioner no. 1 is on an inimical term, as such, he falsely implicated the petitioner no. 1 including the petitioner no. 2 who is the wife of petitioner no. 1.

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.1,000/- (Rupees One 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 Kateya P.S. Case No. 370 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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