

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11644 of 2023

Arising Out of PS. Case No.-413 Year-2022 Thana- KUSHESHWARASTHAN District-
Darbhanga

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1. UMESH MUKHIYA @ BARKU S/O LATE RAM MUKHIYA Resident of Village- Usari, P.S.- Kusheshwar Asthan, District- Darbhanga.
 2. MAMTA DEVI W/O UMESH MUKHIYA @ BARKU Resident of Village- Usari, P.S.- Kusheshwar Asthan, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No2
For the Opposite Party/s : Ms.Sucheta Yadav

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 28-04-2023 At the outset, learned counsel for the petitioners seeks permission to withdraw this anticipatory bail petition so far as petitioner no. 1 Umesh Mukhiya is concerned, since during pendency of this petition, he was arrested.

Permission is accorded. The anticipatory bail petition stands dismissed as withdrawn in respect of petitioner no. 1.

Sole petitioner i.e. petitioner no. 2 apprehends her arrest in a case registered for the offence under Section 30(a) of the Bihar Prohibition and Excise Act.

10 liters of country-made liquor has been recovered from the house of petitioner no. 1 (Umesh Mukhiya) and this petitioner has been made accused simply because she happens to be wife of Umesh Mukhiya.



It is submitted on behalf of petitioner that nothing has been recovered from the conscious possession of this petitioner and she has got clean antecedent.

Learned A.P.P. for the State has opposed the prayer for anticipatory bail.

Considering the aforesaid facts and circumstances, in the event of arrest/surrender within a period of six weeks from today, let the petitioner namely Mamta Devi be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise – II, Darbhanga in connection with Kusheshwar Asthan P.S. Case No. 413 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

This application is, accordingly, disposed of.

(Prabhat Kumar Singh, J)

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