

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14340 of 2023

Arising Out of PS. Case No.-641 Year-2022 Thana- CHHATAUNI District- East Champaran

1. BINDU DEVI @ BIDHU DEVI Wife of Late Narad Sah R/V- Bada Bariyarpur, P.S.- Chhatuni, District- East Champaran
2. CHANDRIKA SAH Son of Rama Sah R/V- Bada Bariyarpur, P.S.- Chhatuni, District- East Champaran

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Dhannjay Kumar No 2, Advocate
For the Opposite Party/ : Mr. Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 03-05-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered under Section- 414 of the Indian Penal Code and Section- 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

The prosecution case, in short, is that 67 liters wine is recovered.

It has been submitted on behalf of the petitioners that the petitioner No.- 1 has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The names of the petitioners have transpired on the basis of disclosure made by local residents. Except for this, there is no other substantive evidence to suggest the implication



of the petitioners in this case. It is alleged that 67 liters wine is recovered from the bush by side of the hut. The hut in question does not belong to the petitioners. The petitioner No.- 1 is a lady. Nothing incriminating has been recovered from the conscious possession of the petitioners. The petitioners had no knowledge regarding the alleged incident. There is no compliance of Section 100 Cr.P.C.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the Court below/concerned Court in connection with Chhatauni P.S. Case No. 641 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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