

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23161 of 2023

Arising Out of PS. Case No.-512 Year-2022 Thana- CHAKIA District- East Champaran

1. ANITA DEVI @ LALMUNI DEVI Wife of Late Pashpat Kumar Gupta Resident of Village-Sahebganj Road Chakiya, P.S.-Chakiya, District-East Champaran
2. NILAM DEVI Wife of Vijay Prasad Resident of Village-Sahebganj Road Chakiya, P.S.-Chakiya, District-East Champaran
3. VIJAY PRASAD Son of Shivji Sah Resident of Village-Sahebganj Road Chakiya, P.S.-Chakiya, District-East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

For the Opposite Party/s : Mr. Atul Chandra, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-05-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 30(a), 38 and 41(1) of the Bihar Prohibition and Excise.

Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and petitioner nos. 1 and 2 are women.

Allegation is of recovery of 123.97 litres of liquor from a room situated above a jewellery shop.

Learned counsel for the petitioners submits that petitioners were not arrested from the spot, as such, nothing was



recovered from their conscious possession. It is further submitted that the room from which the alleged recovery was made belongs to the petitioners but then the same was on rent. It is next submitted that merely because the room belongs to the petitioners, as such, they came to be implicated.

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 Chakia P.S. Case No. 512 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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