

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22957 of 2023

Arising Out of PS. Case No.-786 Year-2022 Thana- BARH District- Patna

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1. DAYANAND TANTI SON OF LATE SADHU TANTI Resident of Bind Tola, P.S. - Barh, Distt. - Patna
 2. MUNIYA DEVI W/O Dayanand Tanti Resident of Bind Tola, P.S. - Barh, Distt. - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Bihari Singh, Advocate

For the Opposite Party/s : Ms. Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 15-05-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehends their arrest in a case registered for the offences punishable under Sections 30(a) of the Bihar Excise Act.

Learned counsel for the petitioners submits that the petitioner no. 1 has antecedent of two cases and petitioner no. 2 is a woman and is a person with clean antecedent and allegation is of recovery of 15 liters of liquor from a land beside the house of petitioner no. 1 along with 350 liters of raw *Mahua* which was destroyed at the spot.

Learned counsel for the petitioners submits that the



petitioners were not arrested from the spot as such nothing was recovered from their conscious possession and even the alleged recovery is from a place which is accessible to public at large and does not belong to the petitioners and they came to be implicated by the local *Chowkidar* with whom they are on an inimical term.

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 trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Barh P.S. Case No. 786 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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