

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27892 of 2023

Arising Out of PS. Case No.-480 Year-2022 Thana- SITAMARHI District- Sitamarhi

1. MEENA DEVI @ MEENA CHAUDHARY Wife of Sogarath Chaudhary Resident of Ward No.- 18, Rajopatti, P.S.- Mehsaul O.P. Sitamarhi, District - Sitamarhi
2. Karan Chaudhary @ Karan Kumar Son of Sogarath Chaudhary Resident of Ward No.- 18, Rajopatti, P.S.- Mehsaul O.P. Sitamarhi, District - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha, Advocate
For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-05-2023 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 341, 323, 353 and 34 of the Indian Penal Code read with Sections 30(a), 37(i) and 37(ii) of the Bihar Excise Act.

Learned counsel for the petitioners submits that the petitioner no.1 is a woman and has antecedent of one case whereas the petitioner no.2 is a person with clean antecedent and allegation is of recovery of 1.8 litres of liquor from a place behind the house of petitioner no.1.

Learned counsel for the petitioners submits that the



petitioners were not apprehended from the spot as such nothing was recovered from their conscious possession, it is next submitted that their name transpired in the confessional statement of co-accused in police custody which does not have any evidentiary value, it is also submitted that the alleged recovery is from a place which is outside the house of the petitioner no.1 and does not belong to them.

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. 5,000/- (Rupees Five 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 Sitamarhi (Mehsaal O.P.) P.S. Case No. 480 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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