

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 40749 of 2023

Arising Out of PS. Case No.-112 Year-2023 Thana- ATRI District- Gaya

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1. RINKU DEVI WIFE OF ARJUN CHAUDHARY VILLAGE NAWAIL PS
ATRI DIST GAYA
 2. RENU DEVI WIFE OF RAJENDRA CHAUDHARY VILLAGE NAWAIL
PS ATRI DIST GAYA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Ram Bilash Roy Raman, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 03-07-2023 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) and 37 of the Bihar Excise Act.

Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and are women and allegation is of recovery of 10 liters of country made liquor from the house of the petitioners.

Learned counsel for the petitioners submits that the petitioners were not apprehended from the spot as such nothing was recovered from their conscious possession and they came to be implicated based on confessional statement of Mahendra in



police custody which does not have any evidentiary value when admittedly petitioners are persons with clean antecedent, it is next submitted even the house from where the alleged recovery is made is a joint family property, as such, it cannot be alleged with certainty that it were the petitioners who had kept the liquor in the house or the liquor kept in the house was within their knowledge.

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. 1,000/- (Rupees One 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 Atri P.S. Case No. 112 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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