

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40955 of 2023

Arising Out of PS. Case No.-120 Year-2023 Thana- MADHAURAH District- Saran

1. JAIMALA DEVI @ CHANDA DEVI wife of Krishna Rai @ Krishna Prasad Ray
2. Meena Devi wife of Binod Rai @ Vinod Prasad Yadav
3. Rajesh Rai @ Rajesh Prasad Yadav son of Ramjee Ray @ Ramji Prasad Yadav
4. Chandan Kumar @ Chandan Rai @ Chandan Prasad Yadav son of Binod Rai @ Vinod Prasad Yadav
5. Dhananjay Kumar son of Yogendra Kumar @ Loha Rai @ Upendra Ray All are residents of Village- Pojhi Bhuwalpur Ps- Marhowrah Dist- Saran
6. Arun Kumar @ Lallu Kumar son of Umesh Rai Village- Pojhi Bhuwalpur Ps- Marhowrah Dist- Saran (Chapra) at present resident of village Rasidpur, Police Station Garkha, District Saran (Chapra)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sachida Nand Rai, Advocate
For the Opposite Party/s : Ms. Rina Sinha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 04-07-2023 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 272, 273, 420/34 of the Indian Penal Code and Sections 30(a), 34, 36 and 38 of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioners submits that petitioner nos. 1 and 2 are women and petitioner nos. 1, 2 and 3 are persons with clean antecedent and petitioner nos. 4, 5 and 6 have antecedent of one case.



Allegation is of recovery of 64.5 litres of liquor from a maize field situated behind the house of Vinod Rai.

Learned counsel for the petitioners submits that petitioners were not arrested from the spot, as such, nothing was recovered from their conscious possession and they came to be implicated based on secret information which is the easiest way to implicate someone. It is further submitted that the alleged recovery is from a place which does not belong to the petitioner.

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.10,000/- (Rupees Ten 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 Marhowrah P.S. Case No. 120 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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