

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41543 of 2023

Arising Out of PS. Case No.-213 Year-2023 Thana- SHASTRINAGAR District- Patna

1. Baby Singh Wife of Umesh Prasad Singh, Resident of Mohalla- Mohanpur Punaichak Sundri Bhawan, P.S.- Shastrinagar, Dist- Patna.
2. Shubham Kumar Son of Umesh Prasad Singh, Resident of Mohalla- Mohanpur Punaichak Sundri Bhawan, P.S.- Shastrinagar, Dist- Patna.
3. Ankit Kumar Son of Umesh Prasad Singh, Resident of Mohalla- Mohanpur Punaichak Sundri Bhawan, P.S.- Shastrinagar, Dist- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Choudhary, Adv.
For the Opposite Party/s : Mr. Arun Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 28-07-2023 Heard learned Counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 30(a)/32(ii)/36/42(ii) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per prosecution case, the recovery of 28.5 liter of foreign liquor has been made from the house of father-in-law of petitioner no.1.

4. Learned counsel for the petitioners submits that the said house from where the said recovery has been made is five



storey building and the petitioners are residing on the second floor of the house whereas the said recovery has been made from the upper floor of the house which was given on rent and the renters were residing there. He further submits that petitioners are innocent, their antecedents are clean and they are completely unaware from the fact that illegal activities are going on at the fifth floor on the instance of the renters.

5. Learned A.P.P. for the State opposes the prayer for bail.

6. In the present facts and circumstances, let the above named petitioners be released on anticipatory bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bonds to the satisfaction of the learned Special Judge, Excise Act, Patna in connection with Shashtrinagar P.S. Case No. 213 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dr. Anshuman, J.)

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