

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49164 of 2023

Arising Out of PS. Case No.-26 Year-2023 Thana- MANPUR District- West Champaran

1. VIMALI DEVI WIFE OF LATE NARAD URAON RESIDENT OF VILLAGE- CHAKRASAN PS MANPUR DISTRICT WEST CHAMPARAN
2. INDU DEVI @ SANTOSHI DEVI CHAKRASAN PS MANPUR DISTRICT WEST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey

For the Opposite Party/s : Mrs. Gulnar Begum

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 25-08-2023 Heard the parties.

2. Petitioners apprehend their arrest in connection with Manpur P.S. Case No.26 of 2023, registered for the offence punishable under Sections 323, 353 and other allied Sections of the I.P.C and u/s 45 of Bihar Prohibition and Excise act.

3. Allegedly, the petitioners were arrested with liquor by the police and were later on freed by 40-50 persons from the custody of the police officials.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioners is not specific rather



general and omnibus in nature. There is no specific overt act against the petitioners. There is no recovery from the conscious possession of the petitioners. He further submits that similarly situated co-accused persons have been granted anticipatory bail by a co-ordinate Bench of this Court. Petitioners have no criminal antecedent.

5. Learned APP for the State opposed the prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case as well as considering the nature of allegation, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on their behalf is hereby rejected.

7. Accordingly, this application is dismissed.

8. However, if the petitioners surrenders before the learned Court below within a period of six weeks from today and seek for regular bail, the learned Court below shall pass the order on the same day in accordance with law, considering that some of the co-accused persons have been granted anticipatory bail.

(Anjani Kumar Sharan, J)

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