

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49287 of 2023

Arising Out of PS. Case No.-230 Year-2023 Thana- BARHARIA District- Siwan

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1. MANJU DEVI W/o Prabhu Pasi Resident of Village-Kuwahi Koirigama, Yogi Tola, P.S.-Barharia, District-Siwan
 2. PRABHU PASI S/o Rajbali Pasi Resident of Village-Kuwahi Koirigama, Yogi Tola, P.S.-Barharia, District-Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Bardhan Pandey
For the Opposite Party/s : Mr.Raj Ballabh Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 11-08-2023

1. Heard the parties.

2. The petitioners apprehend their arrest in connection with Barharia PS Case No. 230 of 2023 dated 16.06.2023 registered under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the FIR, Police got secret information that petitioners along with others have stored illicit liquor and were indulged in selling the same, proceeded towards the place of occurrence and recovered 35 liters of illicit liquor from the land having bush of one Nurain Sai.

4. Learned counsel for the petitioners submits that petitioner no. 1 is the wife of the petitioner no. 2 and both have been implicated due to village politics on the basis of secret



information received by the Police. He next submits that from perusal of the seizure list it is evident that illicit liquor has been recovered not from the premises belonging to the petitioners but from the premises belonging to Nurain Sai. He further submits that no illicit liquor has been recovered from the conscious possession of the petitioners.

5. Regard being had to the submission made by the parties, taking into consideration the fact that no illicit liquor has been recovered from the conscious possession and / or premises of the petitioners, I am inclined to grant anticipatory bail to the petitioners.

6. Let the petitioners, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of Special Excise Judge-1, Siwan in connection with Barharia PS Case No. 230 of 2023 subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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