

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48657 of 2023

Arising Out of PS. Case No.-111 Year-2023 Thana- MEHSI District- East Champaran

1. RAMNATH PASWAN SON OF BAL GOVIND PASWAN RESIDENT OF VILLAGE- CHAK NAGARI, WARD NO. 13, PS- MEHSI, DISTT- EAST CHAMPARAN
2. NIRAJ KUMAR @ NIRAJ PASWAN SON OF RAMNATH PASWAN RESIDENT OF VILLAGE- CHAK NAGARI, WARD NO. 13, PS- MEHSI, DISTT- EAST CHAMPARAN
3. MUNNI DEVI WIFE OF RAMNATH PASWAN RESIDENT OF VILLAGE- CHAK NAGARI, WARD NO. 13, PS- MEHSI, DISTT- EAST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava
For the Opposite Party/s : Mr. Pradeep Narain Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 28-07-2023 1. 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 341, 323, 353, 504, 506, 34 of the Indian Penal Code and Sections 30(a), 45 Bihar Excise Act.
3. Learned counsel for the petitioner, at the outset, seeks permission to withdraw the anticipatory bail application with respect to petitioner No. 1.
4. Permission is accorded.



5. Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and are women and allegation is of recovery of 52.5 liters of liquor from the hut and possession of the petitioners.

6. Learned counsel for the petitioners submits that the petitioners were not apprehended from the spot as such nothing was recovered from their conscious possession, it is next submitted that allegation of recovery from the possession of the petitioners, it is next submitted that had the liquor been recovered from possession of the petitioners then they would have been arrested by the police but then that is not the case, it is also submitted that, in order to falsely implicate the petitioners, it is alleged that the hut belongs to them when petitioners are not the owner of the hut.

7. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

8. 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 Mehsi P.S. Case No. 111 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

HarshPandey/-

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