

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54625 of 2023

Arising Out of PS. Case No.-36 Year-2023 Thana- SANGRAMPUR District- Munger

1. Bulbul Devi Wife of Rajesh Kumar @ Rajesh Kumar Yadav, R/o- Jadhua Barki Kharuhai, P.S.- Sangrampur, Tetia Bambar, Dist- Munger.
2. Rajesh Kumar @ Rajesh Kumar Yadav Son of Late Chaturi Prasad Yadav, R/o- Jadhua Barki Kharuhai, P.S.- Sangrampur, Tetia Bambar Dist- Munger.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Subodh Kumar Jha, Adv.
	:	Mr. Pranav Kumar Jha, Adv.
	:	Mr. Chandra Mohan Jha, Adv.
For the Opposite Party/s	:	Ms. Sangeeta Sharma, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 23-08-2023 Heard learned Counsel for the petitioners and learned
APP for the State.

2. The petitioners are apprehending their arrest in connection with Sangrampur (Tetia Bambar) P.S. Case No. 36 of 2023 dated 10.02.2023, lodged under Sections 30(a), 30(c) and 37 of the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. As per prosecution case, the F.I.R. has been lodged against six named accused persons against whom the allegation is that the recovery of 70 liter *desi mahua* wine has been made from the house of petitioner no.2.

4. Learned counsel for the petitioners submits that petitioner no.1 is the wife and petitioner no.2 is the husband. He



further submits that after investigation, the Police has submitted the final form against them and found this to be untrue. He also submits that at the time of taking cognizance, the trial court has been pleased to take cognizance against all the accused persons under the provisions of Sections 30(a) & 37 of the Bihar Prohibition and Excise (Amendment) Act, 2018. Learned counsel submits that the antecedent of petitioners are clean.

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 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 bond of Rs.30,000/- (Rupees Thirty Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise-IIInd, Munger, in connection with Sangrampur (Tetia Bambar O.P.) P. S. Case No.36 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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