

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65729 of 2023

Arising Out of PS. Case No.-68 Year-2023 Thana- PANAPUR District- Saran

1. TUNTUN DEVI @ DHUNMUN DEVI Wife of Joginder Nat R/o vill - Bagdiha, P.S. - Panapur, Distt. - Saran
2. Teras Devi @ Terasi Devi Wife of Sonelal Nat R/o vill - Bagdiha, P.S. - Panapur, Distt. - Saran
3. Kunti Devi Wife of Nandlal Nat R/o vill - Bagdiha, P.S. - Panapur, Distt. - Saran
4. Pashupati Devi Wife of Munna Nat R/o vill - Bagdiha, P.S. - Panapur, Distt. - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Avnish Kumar Singh, Advocate
For the Opposite Party/s : Mr. Parmanand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 08-12-2023 Heard learned Counsel for the petitioners and
learned APP for the State.

2. The petitioners apprehend their arrest in connection with Panapur P.S. Case No. 68 of 2023 for the offence registered under section 30(a) of the Bihar Prohibition and Excise Act lodged on 04.04.2023 by the informant, Vikash Kumar Singh.

3. As per the prosecution story, upon information that huge quantity of illicit liquor has been dumped and shelter has been given to the wanted accused, Bhola Nut and Ajay Nut, a raid was conducted, the police was able to recover/seize 400



litres the raw material of *mahua* (paas) near the *naala* which was destroyed. Accordingly, the FIR.

4. Learned Counsel for the petitioners submit that for the crime of the other male members, the ladies have been dragged in by the police, none of them have criminal antecedent and they will suffer if sent to jail, all above 45 years of age.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail.

6. Taking into account the fact that all of them are ladies, the recovery is from the house not from their personal possession, this Court is inclined to extend them privilege of anticipatory bail.

7. Let the petitioners in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned 2nd Exclusive Special Excise Judge, Saran at Chapra in connection with Panapur P.S. Case No. 68 of 2023 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioners, who shall provide official document to show



their *bona fide*;

(ii) the petitioners shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial court itself;

(iii) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of their bail bonds;

(iv) the petitioners shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of their bail bonds;

8. With the aforesaid observations, the anticipatory bail application stands allowed.

(Rajiv Roy, J)

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