

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69574 of 2023

Arising Out of PS. Case No.-225 Year-2023 Thana- DIGHWARA District- Saran

-
1. Bigan Ray Son Of Sabha Ray R/O Vill - Ishupur, P.S. - Dighwara, Distt. - Saran At Chapra
 2. Lal Mati Devi W/O Bigan Roy R/O Vill - Ishupur, P.S. - Dighwara, Distt. - Saran At Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Rajani Kumari, Advocate

For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 01-11-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. Learned counsel for the petitioners submits that
petitioner No. 1 has been arrested and accordingly, she seeks
permission to withdraw the petition on behalf of petitioner No.1.

3. Permission is accorded.

4. Accordingly, the petition on behalf of petitioner
No.1 is dismissed as withdrawn.

5. The petitioner No.2 apprehends his arrest in
connection with Dighwara P.S. Case No. 225 of 2023 instituted
under Sections 272, 273 of the Indian Penal Code and Section
30(a) of Bihar Prohibition and Excise Act.



6. As per the prosecution case, total 334.8 litres of illicit country-made wine was recovered from the house of the petitioner No.2.

7. Learned counsel for the petitioner No.2 submits that petitioner No.2 is innocent and has falsely been implicated in this case. Petitioner No. 2 has no concern with the recovered liquor. She further submits that Petitioner No. 2 is not residing in the house from where the recovery was made and the said house is a joint family house. Petitioner No.2 was neither arrested nor any incriminating article has been recovered from the conscious possession of the petitioner No.2. Petitioner No. 2 is a woman having no criminal antecedent.

8. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

9. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner No.2 be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount to each to the satisfaction of the learned A.D.J.II-cum-Special Judge Excise Saran at Chapra in connection with Dighwara P.S. Case No. 225 of 2023, subject to



the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

ashutosh/-

U		T	
---	--	---	--

