

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69030 of 2023**

Arising Out of PS. Case No.-171 Year-2022 Thana- NAUTAN District- Siwan

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1. Usha Devi, Wife Of Kamlu Chauhan
 2. Manju Devi, Wife Of Vijay @ Ajay Chauhan

Both are Resident of Village- Baluaad, Ps- Nautan, District- Siwan

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh, Advocate

For the Opposite Party/s : Mr. Pradeep Narain Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER**

2 01-11-2023 1. Heard learned counsel for the petitioners and
the learned APP for the State.

2. Petitioners apprehend their arrest in connection
with Nautan P.S. Case No. 171 of 2022 dated 14.07.2022
registered for the offence punishable under Section 30(a) of
the Bihar Prohibition and Excise Act.

3. The main submissions advanced by the learned
counsel for the petitioners are that though the FIR of the
instant matter has been registered under the offence of Excise
Act but the alleged offence is not made out against the



petitioners, who are ladies as according to the FIR both the petitioners have been implicated only on the basis of secret information and disclosure made by the apprehended co-accused from whose possession 18 litres of country made liquor is stated to have been recovered and both the petitioners have fair and clean antecedent.

4. Learned APP appearing for the State has opposed the bail prayer of the petitioners.

5. Considering the above submissions and mainly the facts that though the petitioners are named in the FIR but in respect of their involvement in the alleged crime, the prosecution is mainly relying upon a secret informant and disclosure made by the apprehended co-accused persons and there is no criminal background of the petitioners in respect of similar type of alleged offence, in my opinion, the petitioners deserve to the privilege of anticipatory bail. Accordingly, let the petitioners named-above, in the event of their arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail in connection with Nautan P.S. Case No. 171 of 2022 on furnishing bail bonds of Rs.10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction



of the Court concerned, subject to the conditions as laid
down under Section 438(2) of the Cr.P.C.

(Shailendra Singh, J)

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