

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22504 of 2024

Arising Out of PS. Case No.-11 Year-2024 Thana- GOVINDPUR District- Nawada

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1. SAVITRI DEVI WIFE OF MANGAR CHAUDHARY RESIDENT OF VILLAGE - GOVINDPURDIH, POLICE STATION - GOVINDPUR, DISTRICT - NAWADA
 2. SHRAVAN CHAUDHARY @ SHRAWAN CHAUDHARY @ SHARVAN KUMAR SON OF MANGAR CHAUDHARY RESIDENT OF VILLAGE - GOVINDPURDIH, POLICE STATION - GOVINDPUR, DISTRICT - NAWADA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar, Advocate

For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 01-04-2024 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 30(a)(d) and 41 of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. Learned counsel for the petitioners submits that petitioner no. 1 is a person with clean antecedent and is a woman and petitioner no. 2 has antecedent of one case.

4. Allegation is of recovery of 10 litres of liquor along with 200 litres of fermented jawa mahua from a place near Matiyani Barh canal.



5. Learned counsel for the petitioners submits that petitioners were not arrested from the spot, as such, nothing was recovered from their conscious possession and even the alleged recovery is from a place which does not belong to the petitioners and is accessible to public at large and they came to be implicated at the instance of the Chawkidar. It is further submitted that the police in majority of the cases are implicating the accused persons at the instance of the Chawkidar in a mechanical manner. It is next submitted that if the Chawkidar was aware about the involvement of the petitioners in the occurrence then why he did not inform the police prior to the institution of the instant FIR which casts an aspersion on the case of the prosecution.

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

7. 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 Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.5,000/- (Rupees Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is



pending/successor court in connection with Govindpur P.S. Case
No. 11 of 2024, subject to the conditions as laid down under
Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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