

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23777 of 2024

Arising Out of PS. Case No.-113 Year-2023 Thana- LAUKARIA District- West Champaran

1. Sri Bin S/o- Late Maghan Bin Village- Garkatti, Police Station- Laukariya, District - West Champaran
2. Dharmendra Chaudhary @ Dharmendra Mahato son of Bhola Chaudhary Village- Garkatti, Police Station- Laukariya, District - West Champaran
3. Sharda Devi wife of Late Kishun Bin Village- Garkatti, Police Station- Laukariya, District - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kr Singh No. 1

For the Opposite Party/s : Mr.Braj Kishore Pd.(APP)

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 02-04-2024 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 Section 30(a) of the Bihar Excise Act.
3. Learned counsel for the petitioners submits that the petitioners are person with clean antecedent and petitioner No. 3 is a woman. It is next submitted that the allegation is of recovery of 7 litres of liquor from a bush behind the house of petitioner No. 1, 8 litres of liquor from a bush behind the house of petitioner No. 2 and 6.5 litres of liquor from a bush behind the house of petitioner No. 3.
4. Learned counsel for the petitioners submits that the petitioners were not arrested from the spot as such nothing was



recovered from their conscious possession and even alleged recovery is from a place which is accessible to public at large and does not belong to the petitioners and they came to be implicated at the instance of disclosure made by co-villagers. It is next submitted that co-villagers implicated the petitioners based on suspicion as recovery is from places which are adjacent to their houses.

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

6. 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 trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 500/- (Rupees Five Hundred) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Laukariya P.S. Case No. 113 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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