

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35383 of 2024

Arising Out of PS. Case No.-378 Year-2023 Thana- DORIGANJ District- Saran

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1. Munni Devi wife of Rajesh Nat Village- Musepur Nat Toli Ps- Doriganj Dist- Saran
 2. Prabhawati Devi wife of Late Makeswar Nat @ Late Makai Nat Village- Musepur Nat Toli Ps- Doriganj Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raushan Raj

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 22-08-2024 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 offence punishable under Section 30(a) of Bihar Prohibition and Excise Act, 2016.

3. Learned counsel for the petitioners submits that inadvertently at para-3, it has been pleaded that petitioner no.1 has antecedent of one case and petitioner no.2 is a person with clean antecedent when petitioner no.1 has antecedent of three cases and petitioner no.2 has antecedent of four cases and are women and allegation is of recovery of 15 litres of liquor from a hut of the petitioners. It is next submitted that petitioners were



not arrested from the spot as such nothing was recovered from their conscious possession and it has been specifically pleaded in the anticipatory bail application that the petitioners are not the owners of the hut. It is also submitted that whenever a person is accused in a case relating to liquor, the police starts implicating mechanically.

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

5. 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.20,000/- (Rupees twenty thousand) 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 Doriganj P.S. Case No.378/2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. It is made clear that the learned trial court before accepting the bail bonds of the petitioners shall verify the criminal antecedents of the petitioners and in the event if it is found that petitioner no.1 has antecedent of more than three



cases and petitioner no.4 has antecedent of four cases, in that event, the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

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