

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53281 of 2024

Arising Out of PS. Case No.-127 Year-2024 Thana- BIRPUR District- Supaul

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1. AKBAR MANSURI S/O LATE SAFIK MANSURI R/O BIRPUR, WARD NO. 10, P.S- BIRPUR, DISTT.- SUPAUL.
 2. RANIYA KHATON @ RANI MANSURI W/O AKBAR MANSURI R/O BIRPUR, WARD NO. 10, P.S- BIRPUR, DISTT.- SUPAUL.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun .

For the Opposite Party/s : Mr. Md. Shakir Ahmad

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 05-08-2024 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.
2. The learned counsel for the petitioners seeks permission to withdraw the anticipatory bail application with respect to petitioner no.1 namely Akbar Mansuri.
3. Permission is accorded.
2. The petitioner apprehends his arrest in a case registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise Act, 2018.
3. Learned counsel for the petitioner submits that petitioner no.2 has antecedent of two cases and is a woman and allegation is of recovery of 65.700 litres of liquor from a motorcycle. It is next submitted that petitioner was not arrested from the spot as



such nothing was recovered from her conscious possession and is not the owner of the seized motorcycle and she came to be implicated at the instance of Mithilesh Paswan in police custody, which does not have any evidentiary value.

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

5. Considering the submissions made by the learned counsel for the petitioner, the petitioner no.2, in the event of her arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) 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 Birpur P.S. Case No.127/2024, 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 bond of the petitioner no.2, shall verify his criminal antecedent and in the event if it is found that he has antecedent of more than two cases, in that event, the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

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