

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48426 of 2024

Arising Out of PS. Case No.-257 Year-2024 Thana- SIKARPUR District- West Champaran

Chandrika Raut @ Chandrika Dom S/O Late Bhuar Raut R/O Village-
Katgharwa, P.s.-Shikarpur, Distt-west champran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gauri Shankar Thakur, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 07-08-2024 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Sikarpur P.S. Case No. 257 of 2024 for the offence registered under Sections 30(a), 32 and 41(i) of the Bihar Prohibition and Excise Act lodged on 14.04.2024 by the informant, ASI, Manoj Kumar Singh.

3. As per the prosecution story, the informant alleged that upon information that this petitioner is selling country-made liquor, raided the house though the accused managed to escape and the lady was arrested later on, there has been recovery of 100 liters of country-made liquor from the house. This followed the F.I.R.

4. Learned Counsel for the petitioner submits that it is



joint house property and is not in her exclusive possession. No incriminating article has been recovered from her conscious possession. Petitioner has no concern with the alleged recovery of liquor. Moreover, petitioner has no criminal antecedent and will be diligently appearing in trial.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting that the recovery/seizure list are/is from her house.

6. Taking into account the submission put forward by the parties as also that the recovery has not been made from her conscious possession and has no criminal antecedent, this Court is inclined to extend him privilege of anticipatory bail.

7. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge Excise-II, Bettiah, West Champaran in connection with Sikarkpur P.S. Case No. 257 of 2024 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioner, who shall provide official



document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

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