

Arising Out of PS. Case No.-65 Year-2024 Thana- AWTARNAGAR District- Saran

- Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 31-08-2024 1. Heard learned Counsel for the petitioners and
learned APP for the State.

2. This application, for grant of anticipatory bail, arises out of Awtar Nagar PS case no. 65 of 2024, disclosing offences punishable under Section 307 and other allied sections of the Indian Penal Code and Sections 30(a), 45 of Bihar Prohibition and Excise Act, 2016.

3. The prosecution story, as per the First Information Report, is that on 19.03.2024 at about 7.20 pm, upon secret information, informant along with police force arrived at the house of accused Suresh Mahto and recovered 20 liters of illicit



liquor from his house. When the informant proceeded towards police station along with arrested accused Suresh Mahto and seized liquor, about 50 persons attacked on the police party.

4. Learned Counsel for the petitioners submits that petitioners have falsely been implicated in this case due to dirty village politics. Learned counsel further submits that there is no specific allegation against the petitioners and the allegation is only general and omnibus in nature. He also submits that petitioner no. 1 and 3 are women.

5. Having regard to the facts and circumstances of the case and taking into consideration the fact that 37 F.I.R. named accused persons including the petitioners have attacked on the on-duty police officials, which makes the offence grave, hence I am not inclined to grant the privilege of anticipatory bail to petitioner no. 2.

6. Accordingly, the prayer of anticipatory bail on behalf of petitioner no. 2 is rejected.

7. However, considering the fact that petitioners no. 1 and 3 are ladies, I am inclined to grant them the privilege of anticipatory bail.

8. Let petitioners no. 1 and 3, abovenamed, in the event of their arrest or surrender before the Court below within



six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned 1st Special Judge, Excise, Saran at Chapra in connection with Awtarnagar PS case no. 65 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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