

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50419 of 2024

Arising Out of PS. Case No.-113 Year-2020 Thana- JHANJHARPUR District- Madhubani

1. Puja Devi Wife of Murari Mandal
2. Murari Mandal Son of Late Tunni Mandal @ Late Chunni Mandal

Both are R/o Mohalla- Langra Chowk, Nagar Panchayat Jhanjharpur, Ward No.10, P.S.- Jhanjharpur, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Jha, Advocate

For the Opposite Party/s : Mr.Anil Kumar Singh No. 1, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 25-07-2024 1. Heard learned counsel for the petitioners as well as learned APP for the State.

2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 272, 273 of the IPC and Section 30(a) of the Bihar Prohibition and Excise Act in connection with Jhanjharpur P.S. Case No.113 of 2020.

3. The learned counsel for the petitioners submit that the petitioners are person with clean antecedent and petitioner no.1 is a women and the allegation is of recovery of 19 liters of liquor from a place near a pond of one Munna Bhandari.



4. It is next submitted that 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 based on secret information which is the easiest way to implicate someone, when petitioners admittedly are person with clean antecedent.

5. The learned APP for the State opposes the anticipatory bail application.

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 Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Act, Jhanjharpur, Madhubani in connection with Jhanjhapur P.S. Case No.113 of 2020., subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. It is made clear that the learned trial court before accepting the bail bonds of the petitioner shall verify the criminal antecedent of the petitioner and in the event, if it is



found that petitioner has antecedent of even one case, in that event, the present anticipatory bail order shall not be given effect.

8. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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