

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57691 of 2024

Arising Out of PS. Case No.-216 Year-2024 Thana- RAJNAGAR District- Madhubani

1. Nirmala Devi @ Nirmal Devi W/O Pawan Kumar Chaudhary @ Pawan Chaudhary R/O Village- Chakdah, P.S- Rajnagar, Distt.- Madhubani.
2. Prabhash Kumar @ Sintu Kuamr Chaudhary S/O Pawan Kumar Chaudhary @ Pawan Chaudhary R/O Village- Chakdah, P.S- Rajnagar, Distt.- Madhubani.
3. Amarnath Chaudhary @ Amar Nath Chaudhary S/O Late Jugeshwar Chaudhary @ Jugeshvar Chaudhary R/O Village- Chakdah, P.S- Rajnagar, Distt.- Madhubani.
4. Pappu Kumar Chaudhary @ Pappu Chaudhary S/O Pramod Chaudhary R/O Village- Chakdah, P.S- Rajnagar, Distt.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Bharti

For the Opposite Party/s : Mr. Nitya Nand Tiwary

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 13-08-2024 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 Sections 272, 273 and 34 of the Indian Penal Code and Section 30(a) of Bihar Prohibition and Excise Amendment Act, 2022.
3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and petitioner no.1 is a woman and allegation is of recovery of 114 litres of liquor from a place behind a shop. 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 does not belong to the petitioners and they came to be implicated at the instance of local person but then it is submitted that police in majority of the cases implicates either at the instance of chowkidar, local person, secret information or confessional statement without holding proper investigation in a mechanical manner, when petitioners admittedly are persons with clean antecedent.

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.500/- (Rupees five hundred) 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 Rajnagar P.S. Case No.216/2024, giving rise of G.R. No.865/2024, 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 bonds of the petitioners shall verify the criminal antecedents of the petitioners and in the event if it is found that petitioners have antecedent of even one case, in that event, the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

amit/-

U		T	
---	--	---	--

