

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.56985 of 2024**

Arising Out of PS. Case No.-247 Year-2024 Thana- GARKHA District- Saran

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1. Beby Devi Wife of Manoj Nut R/O Vill.- Saidсарai, P.S.- Garkha, Dist.- Saran At Chapra
  2. Suga Devi @ Muskan Devi @ Sugi Devi Wife of Raju Nut R/O Vill.- Saidсарai, P.S.- Garkha, Dist.- Saran At Chapra

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ajit Kumar Singh, Advocate  
For the Opposite Party/s : Mr. Ajay Kumar No. 2, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      12-08-2024

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 Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. Learned counsel for the petitioners submits that petitioners are person with clean antecedent and are women.

4. Allegation is of recovery of 20 litres of liquor from a sack allegedly thrown by the petitioners and 70 litres of liquor from a place behind the house of Ranjit Kumar.

5. Learned counsel for the petitioners submits that petitioners were not arrested from the spot, as such, nothing was recovered from their conscious possession and they have no connection with the sack in question and even the alleged recovery is



from a place which does not belong to the petitioners and is accessible to public at large. It is further submitted that petitioners came to be implicated at the instance of the apprehended co-accused in police custody which does not have any evidentiary value in the eye of law.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

7. Considering the submissions made by the learned counsel for the petitioners, let 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 court below where the case is pending/successor court in connection with Garkha P.S. Case No. 247 of 2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

8. However, the learned trial court, before accepting the bail bonds of the petitioners, shall verify the criminal antecedent of the petitioners and 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)

Kundan/-

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