

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58923 of 2024

Arising Out of PS. Case No.-111 Year-2024 Thana- RAHIKA District- Madhubani

Nirmala Devi Wife of Shyam Choupal R/O Vill.- Dumari Ward No.4, P.S.-
Rahika, Dist.- Madhubani

... .. Petitioner/s

Versus

The State Of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha

For the Opposite Party/s : Mr. Parmanand Prasad

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 11-09-2024 1. Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail,
arises out of Rahika P.S. Case No. 111 of 2024, disclosing
offences under Sections 272, 273, 34 of the Indian Penal Code
and Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution story, the informant alleged
that upon secret information, the police reached the house of the
accused persons and found 3 litres countrymade liquor from the
house of the accused no. 1, 3.6 litres countrymade liquor from
the house of the accused no. 3 and 4.5 litres from the house of
the petitioner.

4. Learned Counsel for the petitioner submits that
petitioner was not arrested from the spot and no illicit liquor or
any incriminating substance has been recovered from the
conscious possession of the petitioner. He next submits that the
house, from where the illicit liquor has been recovered, is a joint



family property. He further submits that petitioner has nothing to do with the trade and transport of the illicit liquor and similarly situated accused have been granted anticipatory bail by this Court.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that similarly situated co-accused persons have been granted anticipatory bail by order dated 04.09.2024 in Cr. Misc. No. 55946 of 2024, I am inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge Excise Act, Madhubani in connection with Rahika P.S. Case No. 111 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

HarshPandey/-

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