

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63393 of 2024

Arising Out of PS. Case No.-28 Year-2024 Thana- ANDHRATHARHI District- Madhubani

1. Ramu Devi W/O Baidhnath Paswan @ Baidhyanath Paswan
 2. Awadhesh Paswan @ Abhesh Kumar Paswan S/O Baidhnath Paswan @ Baidhyanath Paswan
- Both are R/O Village- Rajanpura, P.S. Andhratharhi, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Bharti, Advocate
For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 21-09-2024

1. Heard learned counsel for the parties.

2. The petitioners in this application pray for bail apprehending their arrest in connection with Andhratharhi P.S. Case no.28 of 2024 registered for the offence punishable under sections 272 and 273 of the Indian Penal Code and section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, the informant states that he received secret information about liquor being sold. It is stated that on reaching near the place of occurrence, seeing the police personnel, the accused persons threw the liquor in the field and escaped. 20 liters of country liquor was recovered. The



Choukidar disclosed that three persons who had escaped included the two petitioners herein.

4. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the case. No incriminating article was recovered from their possession nor do they have any concern with the seized articles. The petitioner no.1 is an old lady aged about 65 years and none of the petitioners have any criminal antecedent.

5. The application for bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioners in the FIR, no incriminating article having been recovered from their possession and the petitioners not having any antecedent under the Bihar Prohibition and Excise Act, 2016, it is directed that the petitioners, above named, in the event of their arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Andhratharhi P.S. Case no.28 of 2024 on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Act, Jhanjharpur, Madhubani,



subject to the conditions as laid down under section 438(2) of
the Code of Criminal Procedure.

(Partha Sarthy, J)

Saurabh/-

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