

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64812 of 2024

Arising Out of PS. Case No.-84 Year-2024 Thana- HARLAKHI District- Madhubani

1. Rekha Devi Wife of Sukhari Sahni Resident of Village - Umgaon , P.S. - Harlakhi, District- Madhubani
2. Rajo Devi Wife of Ramnath Sahni Resident of Village - Umgaon , P.S. - Harlakhi, District- Madhubani
3. Anita Kumari @ Anita Devi Wife of Jagdish Sahni Resident of Village - Umgaon , P.S. - Harlakhi , District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Prakash, Advocate
For the Opposite Party/s : Ms. Shaheen Begum, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-09-2024 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 offences punishable under Sections 20 and 22 of the NDPS Act, Sections 272 and 273/34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

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

4. Allegation is of recovery of 248.1 litres of liquor along with 450 gram of ganja from the house of Manoj Sahni and 163.5 litres of liquor from Sahani Mohalla Umgaon.



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 even the alleged recovery is from the house of Manoj Sahni with whom petitioners have no concern or relation. It is further submitted that petitioners came to be implicated based on the secret information which is the easiest way to implicate someone when petitioners are persons with clean antecedent. It is next submitted that petitioners will not abscond rather will cooperate in the investigation to prove their innocence that they are not related to Manoj Sahni in any manner.

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.25,000/- (Rupees Twenty-five Thousand) 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 Harlakhi P.S. Case No. 84 of 2024, subject to the conditions as



laid down under Section 438 (2) of the Cr.P.C.

8. However, it is made clear that if the investigating officer of the case files an application bringing to the notice of the learned trial court that petitioners despite giving assurance to this Court are not cooperating in the investigation, the learned trial court shall be at liberty to cancel the bail bonds of the petitioners.

9. It is made clear that if the charge-sheet is submitted against the petitioners connecting them with the offence then the present anticipatory bail order shall lose its effect.

(Satyavrat Verma, J)

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