

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78199 of 2024

Arising Out of PS. Case No.-94 Year-2024 Thana- DANDKHORA District- Katihar

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1. Radhiya Devi W/O Kiru Sharma Resident of Village- Bhamraili, P.S- Dandkhora, District- Katihar.
 2. Geeta Devi W/O Baiju Sharma Resident of Village- Bhamraili, P.S- Dandkhora, District- Katihar.
 3. Manjula Devi W/O Prahlad Sharma @ Pahalad Sharma Resident of Village- Bhamraili, P.S- Dandkhora, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimal Kumar, Advocate

For the Opposite Party/s : Mr.Pradeep Narain Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 03-12-2024 1. Heard learned Counsel for the petitioners and learned APP for the State.
2. This application, for grant of anticipatory bail, arises out of Dandkhora PS case no. 94 of 2024, disclosing offences punishable under Section 30(a) of Bihar Prohibition and Excise (Amendment) Act, 2022.
3. The prosecution story, as per the First Information report, is that Police got secret information on 13.10.2024 that liquor was being sold in the bamboo clump and proceeded towards the place of occurrence. Upon seeing the police party, four women carrying bags, started fleeing away after leaving the



bags. During course of chase, one lady was apprehended and petitioners succeeded in fleeing away. Police recovered illicit liquor from the respective bags of the petitioners to the extent of 25 liters.

4. Learned Counsel for the petitioners submits that the petitioners have falsely been implicated in this case on the basis of disclosure of their names by the arrested co-accused person. He further submits that illicit liquor has been recovered from the bamboo clump, which is an open space. He also submits that petitioners are ladies and there is no likelihood of tampering with the evidence, if petitioners be enlarged on anticipatory bail.

5. Regard being had to the submissions made on behalf of the parties and taking into consideration the fact that petitioner's names have come on the basis of disclosure made by the arrested co-accused person as also the fact that illicit liquor has been recovered from an open space, accessible to all, I am inclined to grant the privilege of anticipatory bail to the petitioners.

6. This application is, accordingly, allowed.

7. Let petitioners, abovenamed, in the event of his arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten



thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise Court No.-I, Katihar in connection with Dandkhora PS case no. 94 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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