

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78661 of 2023

Arising Out of PS. Case No.-194 Year-2023 Thana- JAYNAGAR District- Madhubani

1. SITA DEVI W/O KHANNA MUKHIA @ RAJESH KHANNA MUKHIYA VILLAGE- KORAHIIYA, PS. JAYNAGAR, DIST. MADHUBANI
2. SURTI DEVI W/O BAUEY LAL MUKHIA VILLAGE- KORAHIIYA, PS. JAYNAGAR, DIST. MADHUBANI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : None

For the Opposite Party/s : Mr. Pushpa Sinha.1, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 21-03-2024 In the forenoon as also in the afternoon despite call no one appears on behalf of the petitioners.

2. The petitioners are apprehending their arrest in connection with Jainager P.S. Case No. 194 of 2023 for the offence under Sections 272, 273 and 34 of the I.P.C. and Under Section 30(a) of the Bihar Excise Prohibition Act lodged on 07.05.2023 by the informant, Roshan Kumar.

3. As per the prosecution story, the police on secret information raided the house of Khanna Mukhiya and 156 liters of Nepali wine recovered/seized. The wife of the said mukhiya (petitioner No. 1) escaped, thereafter, the house of Surti Devi (petitioner No. 2) was raided and 180



liters of Nepali wine recovered/seized. Accordingly, the
FIR.

4. As there is none appearance on behalf of the
petitioners, having gone through the record it is found that
the same has been recovered from the house which is a joint
property, the petitioners are lady, FIR lodged, will be facing
the trial, this Court is inclined to extend them privilege of
anticipatory bail with conditions.

5. Learned APP opposes the prayer.

6. Let the petitioners be released on bail in the
event of their arrest or surrender within a period of four
weeks from the receipt of this order, on furnishing bail bond
of Rs. 10,000/- (Ten thousand) each with two sureties of
like amount each to the satisfaction of learned ADJ-II cum
Special Judge, Excise Act, Madhubani, District-Madhubani
in connection with Jainager P.S. Case No. 194 of 2023
subject to the conditions as laid down under Section 438(2)
of the Cr.P.C.

(i) one of the bailor should be the family member
of the petitioners who shall provide official document to
show their bona fide;



(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

7. With the aforesaid observations, the anticipatory bail application is allowed.

(Rajiv Roy, J)

Adnan/-

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