

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2296 of 2024

Arising Out of PS. Case No.-237 Year-2023 Thana- SASARAM MUFFSIL District- Rohtas

1. Babita Devi @ Kapita Devi W/O Bechan Choudhary Village- Karwandiya, Ps. Sasaram (M), Dist. Rohtas.
2. Muniya Kunwar @ Muniya Devi W/O Late Rajendra Chaudhary @ Rajendra Singh Village- Karwandiya, Ps. Sasaram (M), Dist. Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajani Kant Singh

For the Opposite Party/s : Mr. M. K. Nirala, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 31-01-2024 Heard Mr. Rajani Kant Singh, learned counsel appearing on behalf of the petitioners and M. K. Nirala, learned Additional Public Prosecutor for the State.

2. The petitioners apprehend their arrest in connection with Sasaram(M) P.S. Case No. 237 of 2023, registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 307, 333, 353 of the Indian Penal Code and Section 37 of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. The police on a secret information that co-accused Bechan Choudhary is indulged in trafficking of illicit wine conducted raid. However, having noticed the police party, the petitioners along with others started pelting stones and made



obstruction in discharging their official duty. In course of raid, the police apprehended one Pintu Singh, who was found in an inebriated condition.

4. It is submitted on behalf of the petitioners that both the petitioners are lady having fair antecedent and only because of the fact that the petitioners are wife and mother of Bechan Choudhary, their names have been implicated in this case without there being any specific allegation of overt act. Further submission has been made that even in the course of raid, no incriminating material has been recovered from the house of the petitioners.

5. On the other hand, learned counsel for the State opposed the bail application.

6. Regard being had to the submissions made on behalf of the parties and considering the omnibus nature of allegation and the fact that no incriminating material has been recovered from their house, coupled with the fact that the petitioners are lady having fair antecedent, let the petitioners abovenamed be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.5000/- (five thousand) each with



two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No. 2-cum-Additional District and Sessions Judge, Rohtas at Sasaram in connection with Sasaram (M) P.S. Case No. 237 of 2023, subject to the conditions laid down in Section 438(2) Cr.P.C. with the further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

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