

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85579 of 2023

Arising Out of PS. Case No.-388 Year-2023 Thana- EKMA District- Saran

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1. Ranjit Choudhary @ Ranjit Kumar Choudhary Son Of Buchuli Choudhary Resident Of Village - Ganjpur, P.S. - Ekma, District - Saran At Chapra
 2. Rakesh Choudhary Son Of Buchuli Choudhary Resident Of Village - Ganjpur, P.S. - Ekma, District - Saran At Chapra
 3. Chanda Kumari Daughter Of Buchuli Choudhary Resident Of Village - Ganjpur, P.S. - Ekma, District - Saran At Chapra

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Tej Pratap Singh
For the Opposite Party/s : Mr.Ajay Kumar Jha

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 16-01-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 353, 34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, 30 liter of country made liquor is said to have recovered from the house of petitioner no. 1.

4. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He submits that nothing has been recovered from conscious possession of the



petitioners. He further submits that petitioners no. 2 and 3 are son and daughter of petitioner no. 1. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case and the fact that petitioner no. 3 is a female, let the above named petitioner no.3, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) 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 Ekma P.S. Case No. 388 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

7. Considering the facts and circumstances of case and the fact that the said illicit liquor has been recovered from the house of petitioner no. 1, I am not inclined to enlarge petitioners no.1 and 2 on anticipatory bail. The prayer for anticipatory bail of the petitioners no. 1 and 2 is hereby rejected.

8. Accordingly, this application is partly allowed.

(Anjani Kumar Sharan, J)

anand/-

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