

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86042 of 2023

Arising Out of PS. Case No.-231 Year-2023 Thana- ARA NAGAR District- Bhojpur

1. Manoj Yadav Son of Late Musha Yadav R/o vill - Moti Tola, P.S. - Ara Nagar, Distt. - Bhojpur
2. Radhika Devi W/o Manoj Yadav R/o vill - Moti Tola, P.S. - Ara Nagar, Distt. - Bhojpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Akash Kumar Mishra

For the Opposite Party/s : Mr.Mohammed Arif

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 18-01-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. Learned counsel for the petitioner seeks permission to withdraw this application on behalf of the petitioner no. 1 as the petitioner no. 1 has been apprehended during pendency of this application.

3. Permission is granted.

4. Accordingly, the instant application is dismissed as withdrawn on behalf of petitioner no. 1.

5. The petitioner no. 2 apprehends her arrest in a case



in connection with Ara Town P.S. Case No. 231 of 2023, registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2018.

6. As per F.I.R., allegation against the petitioner no. 2 is of 5.04 litres of foreign liquor was recovered from the roof of the petitioner no. 2.

7. It is submitted by learned counsel for the petitioner no. 2 that the petitioner no. 2 has falsely been implicated in the present case. Petitioner no. 2 is the wife of petitioner no. 1 and having no criminal antecedent mentioned in Para 3 of the bail application. Nothing incriminating articles has been recovered from the conscious possession of the petitioner.

8. Learned APP for the State has opposes the prayer for bail.

9. Having regard to the facts and circumstances of the case and also the fact that petitioner no. 2 is a wife of petitioner no. 1 who is already in judicial custody, let the above named petitioner no. 2, be released on bail, in the event of her arrest, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending/ successor Court in connection with Ara Town P.S. Case No. 231



of 2023, subject to the condition as laid down under Section 438
(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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