

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.4509 of 2024**

Arising Out of PS. Case No.-464 Year-2023 Thana- NAANPUR District- Sitamarhi

1. Renu Devi wife of Ram Daresh Sahani R/O village- Kharaka Lakshiminiya P.S.-Nanpur, District-Sitamarhi
2. Shiv Dulari Devi W/O Dhairaj Sahani R/O village- Kharaka Lakshiminiya P.S.-Nanpur, District-Sitamarhi

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ranjeet Kumar Mishra

For the Opposite Party/s : Mr. Gauri Shankar Gupta

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

- 2      13-02-2024      1. Heard learned counsel for the petitioners and learned A.P.P. for the State.
2. The petitioners apprehend their arrest in connection with Nanpur P.S. Case No.464/2023 registered for the offence punishable under Sections 272, 273 of the Indian Penal Code & Sections 30(a), 36 and 41(1) of Bihar Prohibition and Excise Act.
3. Learned counsel for the petitioners submits that the petitioners are women and are persons with clean antecedent.
4. An allegation is of recovery of 52 litres of liquor from the house of Deepak Kumar. It is next submitted that the petitioner no.2 and petitioner no.1 are mother and Aunt (Chachi) of Deepak Kumar respectively. It is further submitted that petitioners live separately from Deepak Kumar. It is also submitted that merely



because they are related to Deepak Kumar, they came to be implicated in the present case when during the course of investigation nothing transpired which could even remotely connect the petitioners with the offence more so, when after 2018 amendment in the Excise Act, the concept of deemed possession and presumed offender has been done away with.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.500/- (Rupees Five hundred) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge-II, Sitamarhi/concerned Court in connection with Nanpur P.S. Case No.464/2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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