

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3894 of 2024

Arising Out of PS. Case No.-658 Year-2023 Thana- BUDDHACOLONY District- Patna

1. Nitu Devi, (Female), aged about 28 years, Wife of Ajay Dhangar @ Ajay Ghangar, Resident of China Kothi, Harizan Colony, P.S. - Buddha Colony, District – Patna.
2. Karu Devi @ Karo Devi, (Female), aged about 50 years, Wife of Prahlad Paswan @ Prahlad Pawan, Resident of China Kothi, Harizan Colony, P.S. - Buddha Colony, District – Patna.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. Ghanshyam Tiwary, Advocate
For the Opposite Party	:	Mr. Nand Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 12-02-2024 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Buddha Colony P.S. Case No. 658 of 2023 dated 13.10.2023 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, total 125 litres of country made liquor was recovered from the open place (Nala) which is situated near the China Kothi Harizan Colony.



4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have been falsely implicated in this case. No incriminating article has been recovered from the conscious possession of the petitioners. The petitioners have been made accused in the present case only on the basis of suspicion. The said liquor was recovered from the open place. The petitioners are not the owners of the said liquor. The petitioners are the ladies. There is no compliance of Section 100 of Cr.P.C. The petitioners have clean antecedent as stated in paragraph no. 3 of the bail application. No case is made out against the petitioners.

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

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned court concerned, Patna, in connection with Buddha Colony P.S. Case No. 658 of 2023, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.



7. The application stands allowed.

(Chandra Prakash Singh, J)

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