

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29494 of 2025

Arising Out of PS. Case No.-91 Year-2024 Thana- Lalmatia District- Bhagalpur

1. Reshmi Devi W/o- Anoj Choudhary Village- Jain Mandir Road Pasi Tola Nathnagar Ps- Lalmatiya Po- Nathnagar Dist- Bhagalpur
2. Santosh Kumar @ Santosh Kumar Choudhary @ Santosh Kumar Chaudhary S/o- Anoj Kumar Village- Jain Mandir Road Pasi Tola Nathnagar Ps- Lalmatiya Po- Nathnagar Dist- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yash Mathur, Advocate
For the Opposite Party/s : Mr. Arun Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 09-05-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest in connection with Lalmatiya P.S. Case No. 91 of 2024 instituted for the offences punishable under Sections 30(a), 37, 41(i) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 17 litres of liquor was recovered from the house of the petitioner.

4. Learned counsel for the petitioners submitted that the petitioners have falsely been implicated in the present case. No incriminating article has been recovered from the conscious possession of the petitioners. It is further submitted that the



name of the petitioners have been transpired only because they happens to be the family members of the main co-accused Anoj Choudhary. The alleged recovery has been made from the joint house of the petitioners where other family members also reside. The petitioners have one criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the aforesaid facts and circumstances of the case, let the petitioners, above named, in the event of arrest/surrender before the lower court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Lalmatiya P.S. Case No. 91 of 2024, subject to the conditions as laid down under Section 482(2) of Bharatiya Nagarika Suraksha Sanhita, 2023.

(Rudra Prakash Mishra, J)

Alok Verma/-

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