

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32895 of 2025

Arising Out of PS. Case No.-34 Year-2025 Thana- PRATAPGANJ District- Supaul

1. Somani Devi @ Somani Kumari W/o- Jogindra Uranv Resident of Village- Imampati Tekuna Ward No. 09, P.S.- Pratapganj, District- Supaul
2. Jalalwati Devi @ Jalvati Devi W/o- Jogendra Uranw Resident of Village- Imampati Tekuna Ward No. 09, P.S.- Pratapganj, District- Supaul
3. Munni Devi W/o- Sunil Uraw @ Sunil Kumar Urawn Resident of Village- Imampati Tekuna Ward No. 09, P.S.- Pratapganj, District- Supaul
4. Sunil Kumar Urawn @ Sunil Urawn S/o- Rashik Lal Urawn Resident of Village- Imampati Tekuna Ward No. 09, P.S.- Pratapganj, District- Supaul
5. Kartik Urawn @ Kartik Kumar S/o- Debu Urawn Resident of Village- Imampati Tekuna Ward No. 09, P.S.- Pratapganj, District- Supaul
6. Urmila Devi W/o- Rajesh Urawn Resident of Village- Imampati Tekuna Ward No. 09, P.S.- Pratapganj, District- Supaul
7. Pramila Devi D/o- Rajdev Kumar Resident of Village- Imampati Tekuna Ward No. 09, P.S.- Pratapganj, District- Supaul
8. Nitu Devi @ Nitu Kumari D/o- Ribanu Uraon Village- Aurahi Ps- Purnea Dist- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kamal Kishore Singh, Advocate
For the Opposite Party/s : Mr.Ram Priya Sharan, Advocate

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

- 3 26-06-2025 1. Heard learned counsel for the petitioners and learned APP for the State.
2. The petitioners apprehend their arrest in connection with Pratapganj P.S. Case no.34 of 2025 registered under Sections 132, 190, 191(2) and 191(3) of the B.N.S, 2023 and Sections 30(a) and 45 of the Bihar Prohibition and Excise Act, 2016.



3. It would appear from F.I.R that a raid was conducted in the house of Nishani Devi and a total 45 liters of country made liquor is said to have been recovered from her house. It is further alleged a number of persons started pelting stones upon the police personnel and thereafter, they took three accused persons in custody, however, others fled away from the place of occurrence.

4. Learned counsel for the petitioners submits that it would be apparent from the F.I.R that there is no recovery from physical or conscious possession of the petitioners as recovery has been made from the house of Nishni Devi. The cause of their false implication is that they are the relatives and neighbors of Nishni Devi. He further submits that three accused persons were arrested from the spot and not these petitioners. So far as attack on the police personnel is concerned, there is general and omnibus in nature against all accused. Learned counsel for the petitioners further submits that mandatory provisions of search and seizure have also been violated as there is no independent witness to the seizure list. The petitioners have no criminal antecedent and undertake to co-operate in the case/trial.

5. The application for anticipatory bail is opposed by



learned A.P.P. for the State.

6. In view of the aforesaid facts of the case, it is directed that the petitioners, above named, in the event of their arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Pratapganj P.S. Case no.34 of 2025 on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge Excise Court No. 2, Supaul, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the B.N.S.S, 2023 and subject to the further condition that:-

(I) One of the bailors of the petitioners shall be the family member/close relative of the petitioners.

(II) They shall co-operate in the investigation/trial and would make themselves available before the Investigating Officer of the present case on an interval of every 15 days till the submission of the charge-sheet.

(Soni Shrivastava, J)

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