

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89155 of 2024

Arising Out of PS. Case No.-520 Year-2024 Thana- BHAGWAN BAZAR District- Saran
Manju Devi Wife of Sanjay Chaudhary Resident of Vill- Nai Bazar, P.S.-
Bhagwan Bazar, District- Saran

... .. Petitioner/s
Versus
The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 89880 of 2024

Arising Out of PS. Case No.-520 Year-2024 Thana- BHAGWAN BAZAR District- Saran
Rahul Chaudhary Son of Sanjay Chaudhary Resident of Vill- Nai Bazar P.S.-
Bhagwan Bazar, District- Saran

... .. Petitioner/s
Versus
The State of Bihar Patna

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 89155 of 2024)
For the Petitioner/s : Mr.Ajit Kumar Singh
For the Opposite Party/s : Mr.Gulnar Begum
(In CRIMINAL MISCELLANEOUS No. 89880 of 2024)
For the Petitioner/s : Mr.Ajit Kumar Singh
For the Opposite Party/s : Mr.Gulnar Begum

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 223-01-2025
1.

Since both these anticipatory bail applications arise out of
Bhagwan Bazar Police Station Case No. 520 of 2024,
with the consent of the parties, these applications are herd
together.
2.

Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.



3. These applications, for grant of anticipatory bail, arise out of Bhagwan Bazar Police Station Case No. 520 of 2024, dated 05.10.2024, disclosing offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.
4. The prosecution case, as per the First Information Report, is that the police, on secret information that the petitioner Rahul Choudhary is selling liquor near his house, reached at the place of occurrence and on seeing the police, two persons (one male and one female) fled away. On search, the police recovered 30 litres of illicit country-made liquor kept in three plastic sacks near the house of the petitioners. The name of the persons who fled away was disclosed by the local persons as the petitioners.
5. Learned Counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case on the disclosure of their names by the local people. He further submits that the petitioners, who are mother and son, have got no concern with the illicit liquor recovered inasmuch as the illicit liquor has been recovered from New Market, which is an open space and is accessible to all. He further submits that the petitioners have got no criminal antecedent.



6. Regards being had to the submission advanced on behalf of the parties concerned and taking into consideration the fact that the petitioners have got no criminal antecedent, their names transpired in this case by the local people and illicit liquor has been recovered from new Market, which is an open place, I am inclined to grant the petitioners privilege of anticipatory bail.
7. This application is, accordingly, allowed.
8. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court, Sara, at Chapra, in connection with Bhgwan Bazar Police Station Case No. 520 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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