

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22731 of 2016

Arising Out of PS.Case No. -210 Year- 2016 Thana -MUZAFFARPUR SADAR District-
MUZAFFARPUR

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Shanti Devi, wife of Upendra Sah

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mazharul Hassan, Advocate

For the Opposite Party/s : Mr. A.A.Khan(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 20-05-2016

Heard learned counsels for the petitioner and the

State.

The petitioner is apprehending arrest in a case
registered for the offences punishable under Sections 47/54 of
the Bihar Excise (Amendment) Act, 2016.

From the possession of the petitioner four bottles of
Royal Stag whisky containing 180 ml each, 23 bottles of Beer
containing 650 ml each and 7 Cane Beer containing 330 ml
each, were recovered.

It is submitted by learned counsel for the petitioner
that the petitioner being a lady was not aware about coming into
force of Bihar Excise (Amendment) Act, 2016 as the same came
into force on April 2016 whereas the present FIR was registered
on 05.04.2016. The petitioner has no criminal antecedent, a

statement to that effect has been made in paragraph no.3 of the petition. The petitioner has falsely been implicated due to political rivalry as she was supposed to contest Panchayat election.

Considering the nature of recovery and the petitioner being a lady and she was neither found consuming nor selling the liquor, it is a case for consideration of prayer for regular bail, if she surrenders within a period of six weeks.

Let the learned Court below consider the prayer for regular bail of the petitioner, if the petitioner surrenders within a period of six weeks and preferably dispose of on the same day in connection with Sadar P.S. Case No.210/2016, pending before the learned CJM, Muzaffarpur.

With the above observation, this application is, accordingly, disposed off.

(Dinesh Kumar Singh, J)

Ashwini/-

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