

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7518 of 2017

Arising Out of PS.Case No. -372 Year- 2016 Thana -PURNEA SADAR District- PURNIA

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1. Benu Devi, Wife of Binod Kumar Bishwas, Resident of Village-
Mushari Tola, P.S. Sadar, District- Purnea (as per the FIR).

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Yogendra Kumar
Mr. Nadimul Hasan

For the Opposite Party/s : Mr. Sri Yogendra Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 23-02-2017 The petitioner is apprehending her arrest in connection

with Sadar P.S. Case No. 372 of 2016, registered for offences
punishable under Sections 272 and 273 of the Indian Penal Code
and Section 47 of Bihar Excise (Amendment) Act, 2016.

It has been submitted on behalf of the petitioner that
petitioner is not resident of the house from which the alleged
recovery of four bottles of imperial blue liquor has been made. In
support of this contention, he has filed a certificate issued by the
Mukhiya of Raj Rampur, Gram Panchayat. It has further been
submitted that the petitioner used to go to the house for her
personal reasons, from where alleged recovery has been made and
she has been falsely implicated in this case.

Heard learned A.P.P. also.



Having heard both sides, in view of the fact that there is direct allegation of recovery of four bottles of Indian made foreign liquor from the house of the petitioner. Though a submission has been made by learned counsel for the petitioner that she is not the resident of the house, from where the alleged recovery has been made, however the said fact cannot be looked into at this stage, as such, I am not inclined to grant the petitioner, the privilege of anticipatory bail, it is accordingly rejected.

Petitioner is directed to surrender before the court below and pray for regular bail and if any such application is file, the court below shall consider the same and pass an appropriate order, if possible, on the very same day, without being prejudiced by the order of this Court.

With the above observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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