

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16437 of 2017

Arising Out of PS.Case No. -8 Year- 2017 Thana -LAKHISARAI District- LAKHISARAI

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1. Manorama Devi, W/o Sadhu Ram @ Sadhu Ram,
 2. Pramila Devi, W/o Nago Ram,
 3. Fulo Devi, W/o - Chhotan Ram,
 4. Sharda Devi, W/o Surendra Ram.
 5. Yashodha Devi, W/o Yaddu Ram,

All are resident of Village- Bikkam Police Station and District Lakhisarai.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Amrendra Kumar, Advocate.

For the Opposite Party/s : Mr. B.N. Pandey, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

2 15-06-2017 Heard Sri Amrendra Kumar, learned advocate for the
petitioners, and Sri B.N. Pandey, learned A.P.P. for the State.

The petitioners in the present case are seeking anticipatory bail in Lakhisarai P.S. Case No. 8/2017 registered under Sections 147, 148, 149, 353, 307, 332, 333 and 504 of the Indian Penal Code, Section 27 of the Arms Act and Sections 30(a)(c),(D),/41(A), 45 of the Bihar Prohibition and Excise Act, 2016.



Learned counsel for the petitioners, at the outset, submits that all these petitioners are ladies and they have been falsely implicated in the present case as there is no recovery of any liquor or any material showing preparation of liquor from the alleged place where the patrolling party claims that the manufacturing of liquor was taking place. Learned counsel further submits that the subsequent part of the allegations that the accused persons were engaged in firing is also not substantiated by any cogent evidence.

The learned A.P.P. for the State opposed the prayer for anticipatory bail and submitted that although the petitioners are lady members but they are said to be involved in the commission of offence and further that an Anticipatory Bail application would not be maintainable in case of offences alleged under the provisions of the Bihar Prohibition and Excise Act, 2016.

In the facts and circumstances of the case stated hereinabove, I am not inclined to grant anticipatory bail to the petitioners. However, in case the petitioners surrender in the court below within four weeks from today and prays for regular bail, their application shall be considered on the same date subject to prior service of notice to the Public Prosecutor and the court below shall consider the submissions of the petitioners as also the



materials available on the record and shall pass an appropriate order keeping in view that the petitioners are ladies.

The application stands disposed of.

(Rajeev Ranjan Prasad, J)

Dilip, AR

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