

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15447 of 2017

Arising Out of PS.Case No. -511 Year- 2016 Thana -BODHGAYA District- GAYA

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1. Smt. Hemanti Devi W/o Rajdeo Chaudhary R/o Vill-Bakror, P.S.
Bodhgaya, Dist. Gaya

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amarendra Kumar Mishra, Advocate

For the Opposite Party/s : Dr. Mrityunjaya Kr. Gautam, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 20-04-2017 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The Petitioner is apprehending her arrest in a case registered for the offences punishable under Sections 30(a)/37 of the Bihar Prohibition and Excise Act, 2016.

Accusation against the petitioner is that from the house of this petitioner liquor was recovered.

Submission of the petitioner is that the witnesses of the seizure have filed affidavit that nothing was recovered in their presence. Moreover, house of the petitioner was locked and the petitioner was outside. Hence, allegation is not probable.

Since accusation of possession of liquor is there, this anticipatory bail application is not maintainable in view of the



provisions of Section 76 of the Bihar Prohibition and Excise Act,
2016.

Accordingly, the application stands dismissed.

(Birendra Kumar, J)

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