

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8622 of 2019

Arising Out of PS. Case No.-727 Year-2017 Thana- SUPAUL District- Supaul

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Laxmi Devi aged about 51 years (Female), Wife of Late Ganpat Kamat R/o
village- Ward no. 11, Nagar Palika, Supaul, P.S- Supaul, District – Supaul.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Arun, Advocate

For the Opposite Party/s :

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 18-02-2019 Heard learned counsel for the petitioner. No one
appears on behalf of the State.

The petitioner is seeking anticipatory bail in
connection with S.T. Excise No. 1078/2017 arising out of
Supaul P.S. Case No. 727/2017 registered under Sections
30(a) of the Bihar Prohibition & Excise Act, 2016.

learned counsel for the petitioner submits that
according to the self-statement recorded by the Inspector
which has given rise to the present case he raided the house
of the petitioner along with the police party at about 10 P.M.
The house was searched and the police recovered 56 bottles
of foreign made liquor each containing 375 ml. The son of
the petitioner, who was present in the house, was arrested.



The allegation against the petitioner is that she had fled away taking benefit of darkness.

Learned counsel submits that it is apparent from the F.I.R. itself that the petitioner was not found in the house in question and the recovery has been allegedly made from the house where her son was living and he was arrested also. It is submitted that the petitioner is not living with her son in mess and business, and for the same allegation which is alleged against her son and there is no specific allegation against petitioner of keeping illicit liquor in her conscious possession, the petitioner has been falsely implicated.

Considering the facts and circumstances of the case wherein the petitioner is the lady and her son has already been arrested in connection with the allegations made in the F.I.R., in the event of her arrest/surrender before the court below within a period of four weeks, let the above-named petitioner be enlarged on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-II-cum-



Special Judge, Excise, Supaul, in connection with S.T.
Excise No. 1078/2017 arising out of Supaul P.S. Case No.
727/2017, subject to condition prescribed under Section
438(2) of the Code of Criminal Procedure.

(Rajeev Ranjan Prasad, J)

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