

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9853 of 2019

Arising Out of PS. Case No.-183 Year-2018 Thana- KALYANPUR District- Samastipur

1. CHUNCHUN DEVI W/o Sunil Ray Resident of Village- Jakhra, P.S.- Kalyanpur, District- Samastipur.
2. Panvati Devi W/o Modi Rai Resident of Village- Jakhra, P.S.- Kalyanpur, District- Samastipur.
3. Archana Devi @ Archana Kumari W/o Dilip Rai Resident of Village- Jakhra, P.S.- Kalyanpur, District- Samastipur.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar

For the Opposite Party/s : Mr.Parmanand Prasad

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 19-02-2019 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out of Kalyanpur P.S. Case No. 183 of 2018, disclosing offence under Section 30(a) of Bihar Prohibition and Excise Act, 2016.

The petitioners are ladies. It is alleged that when the police party had gone to conduct a raid in their house, on seeing the police, they started fleeing away and they fled away. From the house the police recovered huge quantity of illicit liquor. Husband of petitioner No. 1 and petitioner No. 3 are already in custody in connection with their involvement in business of illicit liquor. Petitioner is mother-in-law of petitioner Nos. 1 and



3.

Learned counsel appearing on behalf of the petitioners has submitted that these petitioners cannot be said to be involved in running business and if any business was run from their house, it was at the instance of their respective husbands.

In view of the bar under section 76(2) of the Bihar Prohibition and Excise Act, 2016, this application cannot be maintained and is accordingly dismissed..

However, the petitioners are directed to surrender before the Court below within four weeks from today and seek regular bail, if so advised. If they do so, their application for regular bail shall be considered on its own merit without being prejudiced by rejection of the present application for grant of anticipatory bail by this Court. Since the petitioner No.2 is the mother-in-law of petitioner Nos. 1 and 3 and she is old lady, if she applies for regular bail, her application shall be considered and disposed of on the same day.

(Chakradhari Sharan Singh, J)

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