

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10792 of 2019

Arising Out of PS. Case No.-6 Year-2019 Thana- PIPRA District- Supaul *

Sarita Devi @ Sabita Devi, wife of Jitendra Jha, daughter of Late Jata Shankar Jha, R/o village- Basaha, Ward No. 7, P.S- Pipra, District- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhim Kumar Yadav

For the Opposite Party/s : Mr. Damodar Prasad Tiwary

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 26-02-2019 The petitioner seeks bail in anticipation of her arrest in connection with Pipra P.S. Case No. 06 of 2019 dated 04.01.2019 instituted for the offences under Section 30(a) of the Bihar Prohibition & Excise Act, 2016.

Nepali liquor is said to have been recovered from the house of the petitioner.

The learned counsel for the petitioner has submitted that the house belongs to her mother and she does not stay in the aforesaid house. A supplementary affidavit also has been filed stating the aforesaid facts.

This Court is not inclined to accept the aforesaid statement as correct.



Since recovery has been made from the house of the petitioner, I am not inclined to grant anticipatory bail to the petitioner notwithstanding the fact that she is a woman. The prayer for anticipatory bail is rejected.

However, if the petitioner surrenders before the Court below and prays for bail, the Court below shall take into account that petitioner is a lady and that earlier she has not been made accused in any case much less in a case of similar nature and shall pass orders in accordance with law without being prejudiced by the fact that the present petition for anticipatory bail has not been entertained.

(Ashutosh Kumar, J)

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