

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20220 of 2019

Arising Out of PS. Case No.-548 Year-2018 Thana- LAHERIYASARAI District- Darbhanga

Rita Devi, W/o Umesh Mahto, R/o Village/Mohalla- Ward No. 27, Alalpatti,
P.S.- Laheriasarai (Benta O.P.), District- Darbhanga (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra
For the Opposite Party/s : Mr. Fahimuddin

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 12-04-2019 Heard learned Counsels for the petitioner and learned
APP for the State.

The petitioner is apprehending arrest in a case registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise Act, 2016.

The prosecution case is that about 32.640 litres of nepali Liquor and Indian Made Foreign iquor were recovered, from the house of the petitioner and the husband of the petitioner was apprehended from the spot.

It is submitted by learned counsel for the petitioner the recovery has been made from the joint family house of the petitioner. A statement has been made in paragraph no. 3 of the petition that the petitioner is not having any criminal antecedent.

It is submitted by learned APP for the State that the



recovery has been made from the house of the petitioner and the husband of the petitioner has been apprehended on the spot.

Considering the fact that recovery has been made from the joint family house of the petitioner, this Court is not inclined to grant privilege of anticipatory bail to the petitioner in connection with **G.O. Case No.1007 of 2018** arising out of **Laheriasarai (Benta O.P.) P.S. Case No.548 of 2018** pending in the Court of learned **5th Additional District Judge-cum-Special Judge (Excise), Darbhanga.**

However, it is a case for consideration of regular bail of the petitioner by the learned Court below, if he surrenders before the learned Court below, within a period of six weeks.

(Dinesh Kumar Singh, J)

Deepak/Rahul/-

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