

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33260 of 2019**

Arising Out of PS. Case No.-64 Year-2019 Thana- PANCHRUKHI District- Siwan

=====

SHEO KUMARI DEVI Wife of Late Ram Pravesh Resident of Village, P.O.
and P.S.-Pachrukhi, District-Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Sanjeev Nikesh

For the Opposite Party/s : Mr.Md. Anbzarul Haque Sahara

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 18-07-2019 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Pachrukhi Police Station Case No. 64 of 2019, disclosing offences under Sections 272, 273, 308 of the Indian Penal Code and Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.

The allegation against the petitioner is that the Police got a secret information that the petitioner is indulged in the trade of illicit liquor and when the Police raided the house of the petitioner, the petitioner, on seeing the Police, fled away. Then the house of the petitioner was searched by the Police and 10.800 litres of illicit liquor was recovered from the house of the petitioner.



Learned Counsel for the petitioner submits that the alleged house of the petitioner is a joint family property and the petitioner has falsely been implicated in the present case for oblique motive.

After having heard learned Counsel for the parties and taking into consideration the fact that the illicit liquor has been recovered from the house of the petitioner and on perusal of the First Information Report and the seizure list, a *prima facie* case is made out against the petitioner under the provisions of the Act and in view of the Full Bench decision of this Court, passed in Criminal Appeal (S.J.) No. 431 of 2019, I am not inclined to exercise my discretion for grant of anticipatory bail. Accordingly, this application is dismissed.

However, considering the allegation made in the First Information Report, it is directed that if the petitioner surrenders before the Court below within fifteen days from today and applies for regular bail, her application shall be considered and decided on the same day, without being prejudiced by the present order of dismissal.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

U	✓	T	✓
---	---	---	---

