

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35210 of 2019

Arising Out of PS. Case No.-26 Year-2019 Thana- KASBA District- Purnia

MANGALI DEVI Wife of Late Sarvan Rishi Resident of Village- Mohini
Kasba, P.S.- Kasba, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar Agrawal
For the Opposite Party/s : Mr.Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 17-08-2019 This application, for grant of anticipatory bail, arises out of Kasba P.S. Case No. 26 of 2019, disclosing offences under Sections 272, 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition of Excise Act, 2016.

Allegation as per F.I.R. is that police tried to catch hold one lady, who was carrying a gallon but she succeeded in fleeing away leaving the gallon, from which, six litres of country made liquor was recovered and on enquiry, it transpired that it is the petitioner, who fled away after leaving the gallon.

Submission of learned counsel for the petitioner that she is a lady and has falsely been implicated in this case and has nothing to do with the alleged recovery.

Learned counsel for the State opposed the prayer for bail and submitted that *prima facie* case is made out against the



petitioner.

Having heard both sides, considering the facts and circumstances of the case, I am not inclined to grant the privilege of anticipatory bail to the petitioner rather petitioner may surrender before the court below and make prayer for regular bail and if any such application is filed, the court below will dispose of the same on the merit of the case, if possible on same day, without being prejudiced by this order.

This application is, accordingly, dismissed.

(Vinod Kumar Sinha, J)

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