

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36017 of 2019

Arising Out of PS. Case No.-207 Year-2019 Thana- HAJIPUR SADAR District- Vaishali

RITA KUMARI Wife of Ashok Kumar Resident of Village - Chhitar Bigha @
Chhite Bigha Merhwan, P.S. - Karari Parsurai, District - Nalanda

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Chandra Gandhi
For the Opposite Party/s : Mr.Meena Singh

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 17-08-2019 This application, for grant of anticipatory bail, arises out of Hajipur Sadar P.S. Case No. 207 of 2019, disclosing offences under Sections 30 (a) of the Bihar Prohibition of Excise Act, 2016.

Allegation is of recovery of 70 litres and 740 ML of liquor from a vehicle of which, the petitioner is owner.

Submission of learned counsel for the petitioner is that she has falsely been implicated in this case only because she happens to be owner of the vehicle and it was the driver, who was looking after the vehicle. Further submission is that petitioner is a Government employee working as an A.N.M.

Learned counsel for the State opposed the prayer for bail and submitted that there is recovery of liquor from the vehicle of the petitioner and, therefore, a *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 this application is disposed of with direction to the petitioner to 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 basis of above submission of the petitioner as well as after considering the fact that she is a Government servant, if possible on same day, without being prejudiced by this order.

(Vinod Kumar Sinha, J)

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