

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60792 of 2019

Arising Out of PS. Case No.-58 Year-2019 Thana- SARE District- Nalanda

Manju Devi, Wife of Raj Kumar Dhari @ Raj Kumar Ram Resident of
Village- Onda, Police Station- Sare and District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No2

For the Opposite Party/s : Mr.Umesh Lal Verma

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 25-09-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

Petitioner apprehends her arrest in connection with
Sare P.S. Case No.58 of 2019 (G.R. No.3720 of 2019), for the
offence punishable under Section 30(a)(b)(c) of the Bihar
Prohibition and Excise Act, 2016.

The allegation against the petitioner is that police
raided the house of the petitioner and recovered total quantity of
10 litres of illicit liquor from her house.

Mr. Manish Kumar No.2, appearing for the petitioner
submits that petitioner has falsely been implicated in this case
inasmuch as from perusal of the seizure list, it would be evident
that independent witnesses have not signed the seizure list and
procedure of Section 100 Cr.P.C. has not been followed by the



police. Learned counsel further submits that petitioner has got no criminal antecedent.

Having regard to the submissions made by the parties and taking into consideration the fact that illicit liquor has been recovered from the house of the petitioner, accordingly, in view of Full Bench judgment passed in **Cr. Appeal (SJ) No.431 of 2019**, I am not inclined to exercise my discretion under Section 438 of Cr.P.C for grant of anticipatory bail. As such the present anticipatory bail application is rejected.

(Anil Kumar Sinha, J)

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