

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66697 of 2019**

Arising Out of PS. Case No.-303 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Nalanda

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SHANTI DEVI @ KANTI DEVI Wife of Late Sukhdeo Chaudhary Resident
of Village - Sirsia Bigha, P.S.- Noor Sarai, Distt - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar No.1
For the Opposite Party/s : Mr. Lakshmi Kant Sharma

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

5 04-12-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends her arrest in a case
registered for the offences punishable under Section 30 (a) &
30 (c) of th Bihar Prohibition and Excise Act, 2016.

11 liters of country made liquor, 180 kgs. of
jaggery and some utensils meant for brewing the liquor are said
to have recovered from the courtyard of the petitioner and the
petitioner managed to escape.

Learned counsel for the petitioner submitted that no
incriminating article has been recovered from the conscious
physical possession of the petitioner. The petitioner has no
concern with the aforesaid articles. The house of the petitioner



is inhabited by her several family members and she had no knowledge of keeping the aforesaid article in the courtyard by someone. She happens to be lady and has no criminal antecedent. Hence, she may be enlarged on bail.

Per contra, learned APP for the State opposing the bail petition submitted that 11 liters of country made liquor, 180 kgs. of jaggery and some utensils meant for brewing the liquor were recovered from the courtyard of the petitioner. Hence, the petitioner does not deserve anticipatory bail.

Considering the facts and circumstances of case, I am not inclined to enlarge the petitioner on bail. The prayer for bail of the petitioner is hereby rejected. However, the petitioner is directed to surrender before the learned Court below within six weeks from today and seek regular bail and the learned Court below would pass order in accordance with law without being prejudiced by this order on the same day.

(Prakash Chandra Jaiswal, J.)

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