

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84891 of 2019

Arising Out of PS. Case No.-244 Year-2019 Thana- BELAGANJ District- Gaya

Rajiya Devi Wife of Late Ramswarup Manjhi, Resident of Village-Sherpur,
P.S.-Belaganj, District-Gaya.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ravindra Kumar Sinha, Advocate
For the Opposite Party/s : Mr.Sangeeta Sharma, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 20-12-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner in the present case is seeking anticipatory
bail in connection with Belaganj P.S. Case No. 244 of 2019
registered for the offences punishable under Section 30(a) of the
Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case having committed no offence. It is further
submitted that nothing has been recovered from the house of the
petitioner. The petitioner lives in a joint family house and from
perusal of the seizure list it appears that not a single witness has
put signature in the seizure list. The alleged seizure was not
made in the presence of any independent witness.



Learned A.P.P. for the State has opposed the prayer for anticipatory bail.

Considering the fact that the seizure list shows recovery of illicit liquor from the house of this petitioner, this Court is not inclined to grant anticipatory bail to the petitioner.

In case the petitioner surrenders and prays for regular bail in the court below, her prayer for regular bail shall be considered independently but in the nature of the allegations the petitioner being a lady, let in case her surrender within a period of four weeks from today and on making prayer for regular bail in the court below, the same shall be considered and disposed off on the same day.

(Rajeev Ranjan Prasad, J)

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