

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82659 of 2019**

Arising Out of PS. Case No.-132 Year-2019 Thana- KORHA District- Katihar

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Ramni Devi Wife of Late Vishu Sah Resident of Village-Kolasi Santhali Tola,
P.S.-Korha, District-Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Jha, Advocate

For the Opposite Party/s : Mr.Parmanand Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 18-12-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends her arrest in **Korha P.S.**
Case No. 132 of 2019, registered for the offence punishable
under Section 30(a) of the Bihar Prohibition and Excise Act,
2016.

10 litres of Mahua wine is alleged to have been
recovered from the house of petitioner.

It is submitted by learned counsel appearing on behalf
of petitioner that petitioner has falsely been implicated in this
case. Nothing has been recovered from conscious possession of
the petitioner. Petitioner has got clean antecedent.

In view of the specific allegation of recovery of wine
from the house of petitioner, the, anticipatory bail petition is not



maintainable in view of the decision passed by the Full Bench in **Cr. Appeal (SJ) No. 431 of 2019** in the case of **Ram Vinay Yadav vs. State of Bihar**, I am not inclined to enlarge the petitioner above-named on anticipatory bail. Accordingly, the same is rejected.

However, if the petitioner surrenders before the court below and makes prayer for regular bail, the same shall be considered on its own merit without being prejudiced by the present order.

(Prabhat Kumar Singh, J)

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