

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4690 of 2020

Arising Out of PS. Case No.-122 Year-2018 Thana- NAVINAGAR District- Aurangabad

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PRABHA DEVI SINGH Wife of Ramnandan Singh @ Ramnandan Singh
Chandravanshi Resident of Village - Koyal Khap, P.S.- Dhibra, District -
Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Adv.

For the Opposite Party/s : Mr. Renuka Ratnakar, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 29-02-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 30(a) and 38 of the Bihar Prohibition and Excise Act, 2016, as amended by Amendment Act 8 of 2018.

It is alleged that from an Omni van bearing registration No.WB02K7573, 2.5 litres of mahua liquor were recovered. The petitioner was the registered owner of the vehicle in question on the date of seizure.



It is submitted by learned counsel for the petitioner that the said recovery has not been made from the conscious physical possession of the petitioner and the petitioner is an old lady. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP for the State submits that the petitioner is the registered owner of the vehicle in question on the date of seizure. Hence, the anticipatory bail application is not maintainable.

Considering the fact that the petitioner was the registered owner of the vehicle in question on the date of seizure, the present anticipatory bail application is not maintainable. However, keeping in view the nature of recovery and the petitioner being an old lady, it is a case for consideration of prayer for regular bail by the learned Court below.

Let the learned Court below consider the prayer for regular bail of the petitioner, if the petitioner surrenders before the learned Court below within a period of six weeks in connection with Nabinagar P.S. Case No. 122 of 2018, pending before the learned ADJ-VII-cum-Special Judge (Excise), Aurangabad.



With the above observation, this application is,
accordingly, disposed of.

(Dinesh Kumar Singh, J)

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