

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11307 of 2020

Arising Out of PS. Case No.-384 Year-2019 Thana- DEEPNAGAR District- Nalanda

Ruby Devi, aged about 40 years (Female), W/o Late Bablu Ravidas, Resident of Village - Koilama, P.S.- Kalyan Bigha, District - Nalanda, presently H/o Dhananjay Kumar @ Muna, Resident of Village - Kundi, P.S.- Noorsarai, District - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binit Kumar

For the Opposite Party/s : Mr. Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 07-07-2020 Heard Mr. Binit Kumar, learned counsel for the petitioner and Mr. Akshay Lal Pandit, learned counsel appearing for the State through video conferencing.

Petitioner apprehends arrest in connection with Deepnagar P.S. Case No. 384 of 2019 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The allegation against the petitioner is that Police on the basis of secret information raided a chicken shop and upon arrival of Police party one lady fled away from the said chicken shop and upon search a total quantity of 12 liters of illicit liquor was recovered from the chicken shop of one Dhananjay Kumar @ Munna.



Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case merely on the basis of the fact that the petitioner is a widow and has allegedly performed marriage with Dhananjay Kumar @ Munna from whose chicken shop illicit liquor has been recovered. Learned counsel further submits that no illicit liquor has been recovered from the conscious possession or premises belonging to the petitioner. Learned counsel also submits that petitioner is a lady and has got no criminal antecedent.

Having regard to the submissions made by the parties and taking into consideration the fact that no illicit liquor has been recovered from the conscious possession of the petitioner and the petitioner has got no criminal antecedent, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, in the event of arrest or surrender before the court below within six weeks from today, petitioner, above named, shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 3rd Addl. District & Sessions Judge – cum- Special Judge (Excise), Nalanda at Bihar Sharif in connection with Deepnagar P.S. Case No. 384 of 2019 subject to the condition as laid down under Section 438 (2)



of the Code Of Criminal Procedure.

It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding lockdown and social distancing.

(Anil Kumar Sinha, J)

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