

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8977 of 2020

Arising Out of PS. Case No.-102 Year-2019 Thana- LAUKARIA District- West Champaran

Puja Devi W/o Ravindra Ram Resident of Village- Bairiya Khurd (Chotki Bairiya), P.S.- Laukariya, Distt- West Champaran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Sanjay Kumar No 7, Adv.
For the Opposite Party : Mr.Lakshmi Kant Sharma, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 02-03-2020 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner apprehends her arrest in connection with Laukaria P.S. Case No. 102 of 2019 for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act,2016.

The allegation is regarding the recovery of 20.500 litres of illicit liquor from the courtyard of the house belonging to the husband of the petitioner and his family members.

The learned counsel for the petitioner has submitted that the petitioner is a lady, is having a clean antecedent and has been falsely implicated in the present case. It is further submitted that since the illicit liquor has neither been recovered from the conscious possession of the petitioner nor



from inside the house but from courtyard where the illicit liquor could have been planted by any outsider, the provision of Bihar Prohibition and Excise Act, 2016 are not attracted.

Having regard to the facts and circumstances of the case and considering the submissions made by the learned counsel for the petitioner, I find that prima facie no offence is made out under the provisions of the Bihar Prohibition and Excise Act, 2016, hence, I deem it fit and proper to direct for release of the petitioners on anticipatory bail.

Accordingly, in the event of arrest or surrender in the court below within a period of four weeks from today, the petitioner above named is directed to be released on anticipatory bail on furnishing bail-bonds of Rs. 10,000/-(rupees ten thousand) with two sureties of the like amount to the satisfaction of learned Special Judge, Excise, Bettiah, West Champaran in connection with Laukaria P.S. Case No. 102 of 2019, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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