

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20220 of 2020

Arising Out of PS. Case No.-265 Year-2017 Thana- MAGADH MEDICAL COLLEGE
District- Gaya

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Anita Devi aged about 31 yrs, W/O of Shyamsundar Mandal@ Shyam Sundar Manjhi, resident of village- Tetariya, P.S- Cherki, Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vinod Kumar

For the Opposite Party/s : Mr.Umeshanand Pandit

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA

ORAL ORDER

2 20-08-2020 Heard learned counsel appearing for the petitioner as well as learned counsel for the State through video conferencing.

Petitioner apprehends her arrest in connection with Magadh Medical P.S.Case No. 265/17 registered for the offences punishable under sections 30(a)(c),38(1)(2) of the Bihar Prohibition and Excise Act 2016.

Country made liquor and Mahua liquor are said to have been recovered from the house of the petitioner. The first information report discloses the offence punishable under Bihar Prohibition and Excise Act 2016 and, therefore, in my view, this petition filed under section 438 of the Cr.P.C is not maintainable.



Accordingly, this petition stands dismissed being not maintainable.

However, this order shall not cause any prejudice to the concerned court at the time of regular bail application of the petitioner.

(Hemant Kumar Srivastava, J)

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