

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26336 of 2020

Arising Out of PS. Case No.-57 Year-2020 Thana- GOVT. OFFICIAL COMPLAINT CASE
District- Sheikhpura

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DHAKNU DEVI @ DAKHUN DEVI W/o Padarath Manjhi @ Ram
Padarth Manjhi Resident of Mohalla- Ahiyapur, Musahari, P.S. and District-
Sheikhpura.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar, Adv.
For the Opposite Party/s : Mrs. Sharda Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 09-12-2020 Heard Mr. Pankaj Kumar, learned counsel for the

petitioner and Mrs. Sharda Kumari, Additional Public

Prosecutor for the state through video conferencing.

2. Petitioner apprehends her arrest in connection with
Excise Case No. 57/2020 registered for the offence punishable
under Sections 30(a), 37 (b), 45 and 52 of Bihar Prohibition and
Excise Act, 2016.

3. The allegation, as per prosecution case, is that on
the basis of secret information the Excise Officials raided in the
village, Ahiyapur, Musahri and arrested two persons and from
their possession 30 litres and 15 litres of country made illicit
liquor has been recovered. It has further been alleged that the
arrested accused persons raised alarm, upon which, the
petitioner and another accused, Dilip Manjhi @ Dilip Kumar



Manjhi, who were assisting in the sale of liquor, tried to get the arrested accused free from the custody of the police and when they did not succeed in the same, the petitioner along with others damaged the vehicle of the police.

4. Learned counsel for the petitioner submits that the petitioner has not committed any offence under the Excise Act and no illicit liquor has been recovered from his possession. Learned counsel further submits that the offence under IPC has not been included in the prosecution report against the petitioner and only allegation against the petitioner is that she along with others tried to get the arrested accused persons free from the custody of the police.

5. Having regard to the submissions made by the parties and taking into consideration the material on record and the fact that no liquor has been recovered from the conscious possession of the petitioner and the petitioner is a lady, I am inclined to grant anticipatory bail to the petitioner.

6. Accordingly, petitioner, DHAKNU DEVI @ DAKHUN DEVI shall be released on anticipatory bail, in the event of her arrest or surrender within six weeks, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 2nd



Additional Sessions Judge, Sheikhpura in connection with
Excise Case No. 57/2020, subject to the conditions as laid down
under Section 438(2) CrPC.

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

(Anil Kumar Sinha, J)

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