

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84617 of 2019

Arising Out of PS. Case No.-957 Year-2019 Thana- NAWADA District- Nawada

MEENA DEVI Wife of Surendra Pasi Resident of Village - Jangnl Beldari
Budhaul, P.S.- Nawada Town, Distt - Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar

For the Opposite Party/s : Mr.Satyadeo Singh Yadav

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 06-01-2020 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

This is an application for grant of anticipatory bail
in connection with Nawada Town PS case no. 957 of 2019
registered for the offences punishable under Section 30 (a) of
Bihar Prohibition and Excise (Amendment) Act, 2018.

The allegation is regarding recovery of certain
quantity of illicit liquor from the house of the co-accused
persons namely Chhotelal Chauhan and Rajendra Chauhan. It is
further alleged that as far as the petitioner is concerned, she is
engaged in the trade of illicit liquor.

The learned counsel for the petitioner has
submitted that the petitioner has been falsely implicated in the
present case, is having a clean antecedent and the fact is that no



recovery has been made either from the possession of the petitioner or from her house, hence the provisions of the Bihar Prohibition and Excise Act, 2016 are not attracted.

Having regard to the facts and circumstances of the case, this Court is of the opinion that a bare perusal of the F.I.R. and the seizure list would demonstrate that no prima facie case is made out against the petitioner under the provisions of the Bihar Prohibition and Excise Act, 2016, as far as the case of the petitioner for grant of anticipatory bail is concerned. This Court further finds that mere suspicion has been raised against the petitioner of being engaged in the trade of illicit liquor and on the basis of suspicion only, the petitioner has been implicated in the present case.

Considering the aforesaid submissions made by the learned counsel for the petitioner and the materials available on record, I deem it fit and appropriate to direct for release of the petitioner, in the event of her arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional District & Sessions Judge-cum-Special



Judge, Excise, Nawada in connection with Nawada Town PS
case no. 957 of 2019, subject to the conditions as laid down
under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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