

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21752 of 2021

Arising Out of PS. Case No.-27 Year-2021 Thana- AGAMKUAN District- Patna

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GITA DEVI W/o of Mukesh Kumar @ Mukesh Kumar Paswan Resident of
Village - Bahadurpur Housing Colony, Ward no.46, Janta Flat Mushahri, P.S.-
Agam Kuan, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nawal Kishor Prasad, Adv.

For the Opposite Party/s : Ms. Anita Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 02-08-2021 Heard learned counsel for the parties through video
conferencing.

The petitioner has preferred this application for
grant of regular bail in a case registered under sections 30(a)
and 36 of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the F.I.R., on information
having been received that the petitioner was dealing and trading
in liquor, a raid was conducted. It is stated that the petitioner
was caught and about 12 litres of *Mahua* liquor was recovered
from the room in the house of the petitioner.

It is submitted by learned counsel for the petitioner
that the petitioner has been falsely implicated in the case. From
perusal of the seizure list it would be evident that incorrect case



number i.e Agamkuan P.S. Case no. 27 of 2020 has been mentioned. Although the date of occurrence is 10.1.2021 ie of the year 2021. The petitioner is a lady and is in custody since 10.1.2021.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties, from perusal of the seizure list it is clearly evident that the date and time of seizure has been mentioned as 10.1.2021, which conforms with the allegations in the F.I.R.. Taking into consideration the petitioner having an antecedent under the Bihar Prohibition and Excise Act together with *Mahua* liquor having been recovered from inside the room in the house of the petitioner, the Court is not inclined to enlarged the petitioner on bail and the application is rejected.

Liberty is granted to the petitioner to renew her prayer for bail on completing 1 year in custody.

(Partha Sarthy, J)

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