

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31896 of 2020

Arising Out of PS. Case No.-51 Year-2020 Thana- BRAHMPUR District- Buxar

Rekha Devi, aged about 41 years, Gender-Female, wife of Vijay Bin, Resident of Village - Bhariar, P.S.- Brahmpur (Chakki O.P.), District - Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satyapal Singh, Advocate

For the State : Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 09-03-2021

Heard Mr. Satyapal Singh, learned counsel for the petitioner and Mr. Jharkhandi Upadhyay, learned Additional Public Prosecutor (hereinafter referred to as the 'APP') for the State.

2. The petitioner apprehends arrest in connection with Brahmpur (Chakki OP) PS Case No. 51 of 2020 dated 02.02.2020, instituted under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. The allegation against the petitioner is that when police went to raid her house on secret information, she was present, but nothing was recovered and the police was informed that she had removed the liquor prior to the police coming to her place and had kept it in the house of one Sukhu Bin @ Sukhdeo Bin and when the police went there, there was recovery of 86 pieces of 555 Gold Whisky kept in a plastic bag and in the



meantime, the petitioner fled away, but Dhuniya Devi wife of Sukhu Bin @ Sukhdeo Bin was present and arrested and she disclosed that the recovered liquor was kept by the petitioner.

4. Learned counsel for the petitioner submitted that nothing was recovered from her house and she has no connection either with the house or with Dhuniya Devi. It was further submitted that only on suspicion, without disclosing who had informed the police that it was the liquor of the petitioner which was kept in the house of Dhunia Devi, she has been implicated. It was further submitted that the petitioner is a lady and has no criminal antecedent.

5. Learned APP submitted that the police also got information that the petitioner had moved the liquor from her house to the house of Dhunia Devi from where there is recovery and she has also stated that it was the petitioner who had kept the liquor in her house.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to grant pre-arrest bail to the petitioner.

7. Accordingly, the application stands dismissed.

(Ahsanuddin Amanullah, J)

J. Alam/-

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