

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1819 of 2021**

Arising Out of PS. Case No.-238 Year-2020 Thana- CHOUTARWA District- West
Champaran

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MIRA DEVI Wife of Jitendra Prasad Kamkar Resident of Chandraha,
Rupawalia, P.S. Bathuwariya, District- West Champaran, Bihar.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 14-07-2021 Heard Mr. Bimlesh Kumar Pandey, learned
Advocate for the petitioner and Mr. Ram Priya Sharan
Singh, learned APP for the State.

The petitioner seeks bail in anticipation of her
arrest in connection with Chautarwa Bathuwariya P.S.
Case No. 238 of 2020 dated 24.06.2020 instituted for
the offences under Sections 30 (a) of the Bihar
Prohibition and Excise Act, 2016.

It has been alleged in the FIR that on a secret
information that one Jitendra Prasad Kamkar along with
his wife deal in sale and purchase of liquor, a raid was
conducted. Jitendra Prasad Kamkar is said to have run
away from his house. Four litres of liquor is said to have
been recovered from the house.

Learned counsel for the petitioner has



submitted that merely because she is the wife of aforesaid Jitendra Prasad Kamkar, she has been made accused in this case. It has also been submitted that she was not present in the house and had gone to her mother's house at the time of the raid.

However, considering the fact that the petitioner and her husband were dealing in sale of liquor from their house and four litres of liquor has been recovered from the house which is in possession of the petitioner and her husband, I am not inclined to grant anticipatory bail to her.

Accordingly, the prayer for anticipatory bail is rejected.

However, if the petitioner surrenders before the court below and seeks bail, her application shall be considered on its own merits, taking into account her gender also and without being prejudiced by the fact that the present petition on her behalf has not been entertained.

(Ashutosh Kumar, J)

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