

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32933 of 2021

Arising Out of PS. Case No.-268 Year-2020 Thana- KARPI District- Jehanabad

SONFULWA DEVI @ BAHARI @ SONFULWAL DEVI Duaghter of Late
Suryadeo Manjhi Resident of Village - Makhmilpur, P.S.- Karpi, Dist.- Arwal

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Nitya Nand Neeraj
For the Opposite Party/s : Mr.Harendra Prasad

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 02-02-2022 Learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

Heard learned counsel for the petitioner as well as the
learned APP for the State through video conferencing.

The petitioner apprehends his arrest in connection
with Karpi P.S. Case No. 268 of 2020, registered for the
offences punishable under Sections 30(a) of the Bihar
Prohibition and Excise (Amendment) Act, 2018.

Learned counsel for the petitioner has submitted that
the petitioner has falsely been implicated in this case. She is a
widow lady and she has no criminal antecedent. He has further
submitted that the quantity of recovered liquor is very meagre.

Despite all these, the provisions of section 76 (2) of



the Bihar Prohibition and Excise Act, 2016 makes an explicit embargo on entertaining the application under Section 438 of the Cr.P.C.

But at the same time, it is observed that if the petitioner surrenders and seeks regular bail before the court below, her regular bail petition shall be disposed of on the same day.

With these observations, this anticipatory bail petition is disposed of.

Office shall ensure that all defects are removed by the petitioner within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey , J)

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