

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29381 of 2022

Arising Out of PS. Case No.-129 Year-2022 Thana- PATNA CITY CHOWK District- Patna

Suman Devi W/o Jaykant Ray R/o village- Baghlodan Gali, P.S.- Chowk, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Jay Ram Prasad
For the Opposite Party/s	:	Mr.Md. Fahimuddin

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 16-09-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending her arrest in connection with Chowk P.S. Case No. 129 of 2022 instituted for the offence punishable under Section 30(a) of Bihar Prohibition and Excise (Amendment) Act.

Prosecution case relates to recovery of 68.04 litres illicit liquor from a tempo which belongs to the husband of the petitioner.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent. she has falsely been implicated in this case. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from her conscious possession. Petitioner's husband is languishing in



judicial custody.

Learned APP appearing for the State has opposed the prayer of bail and submitted that petitioner has criminal antecedents of seven cases out of which six cases are of Excise Act.

Having heard learned counsel for the parties and taking into consideration that petitioner is a habitual offender, I am not inclined to grant bail to the petitioner and, as such, her prayer for bail is rejected.

This application stands disposed off.

However, if the petitioner surrenders and prays for regular bail, the same may be considered by the court below on its own merit without being prejudiced by this order of rejection.

(Sunil Kumar Panwar, J)

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