

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45387 of 2021**

Arising Out of PS. Case No.-64 Year-2021 Thana- JAGDISHPUR District- Bhagalpur

NILAM DEVI Son of Bivishan Das Resident of Village - Pandhaha, P.S.-
Godda, Dist.- Godda.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Swapnil Kumar Singh
For the Opposite Party/s : Mr. APP

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

3 07-03-2022 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 Jagdishpur P.S. Case no. 64 of 2021 instituted for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Prosecution case relates to recovery of 11.50 litres IMFL from the car of the petitioner.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has been falsely implicated in this case. She has got no criminal antecedent. She has handed over her car to her driver for his personal use. Neither the petitioner was arrested on spot nor any incriminating



article has been recovered from her conscious possession.

Learned APP appearing for the State has opposed the prayer of bail.

Having heard learned counsel for the parties and taking into consideration that the alleged vehicle belongs to the petitioner, from where recovery of illegal liquor has been made, I am not inclined to grant bail to the petitioner and, as such, her application for bail is rejected.

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)

sushma/-

U			
---	--	--	--

