

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53919 of 2022

Arising Out of PS. Case No.-392 Year-2022 Thana- MALSALAMI District- Patna

KANCHAN DEVI @ GHORA WALI W/o Late Prakash Rai @ Prakash
Yadav Resident of Village - Mansurganj, Mushahari, P.S. - Malsalami, Distt. -
Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kaushal Kumar, Advocate

For the Opposite Party/s : Mr. Anil Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 17-11-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect(s), if any, be removed within a period
of four weeks.

The petitioner apprehends her arrest in a case
registered for the offences punishable under Section 30(a) and
36 of the Bihar Prohibition and Excise (Amendment) Act, 2018.

Learned counsel for the petitioner submits that
petitioner has antecedent of two cases and is a woman.

Allegation is of recovery of five litres of liquor from
the possession of Om Kumar and 20 litres of liquor from a jute
bag which was hidden near the place of occurrence.

Learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was



recovered from her conscious possession. It is further submitted that name of the petitioner transpired in the confessional statement of co-accused Om Kumar in police custody which does not have any evidentiary value in the eye of law.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of her arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Malsalami P.S. Case No. 392 of 2022 corresponding to P.T. No. 1444 of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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