

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57080 of 2022

Arising Out of PS. Case No.-156 Year-2022 Thana- PIYAR District- Muzaffarpur

CHANDA DEVI @ CHANDA KUMARI Wife of Jitan Sah Resident of
Village - Bandra, P.S. - Piar, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Ranjan, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 04-11-2022 Heard learned counsel for the petitioner and learned A.P.P.
for the State through the virtual Court proceedings.

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 offence punishable under Section 30(a) of the Bihar
Prohibition and Excise Act, 2016-18.

Learned counsel for the petitioner submits that petitioner
is a person with clean antecedent and is a woman.

Allegation is of recovery of 9.375 litres of liquor from the
house of the petitioner.

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 even the house
is a joint family property and, as such, it cannot be alleged that
petitioner was aware that liquor was kept in the house. It is next



submitted that name of the petitioner transpired in the confessional statement of her brother Naresh Sah who was arrested from the house of the petitioner when petitioner admittedly is a married woman and does not stay with her brother but police in mechanical manner implicated the petitioner.

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.1,000/- (Rupees One 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 Piar P.S. Case No. 156 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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