

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60839 of 2022

Arising Out of PS. Case No.-204 Year-2022 Thana- PIRPAINTI District- Bhagalpur

RUBI DEVI @ KAVITA KUMARI @ KAWITA DEVI W/o Late Mukesh
Pahariya, D/o Chandradev Pahariya R/o Village- Harinkol, Pahariya Tola,
P.S.- Pirpainti, Distt- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Jha, Advocate

For the Opposite Party/s : Ms. Veena Kumari Jaiswal, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 22-11-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends her arrest in a case registered for the offences punishable under Sections 30(a), 30(c) and 30(d) of the Bihar Excise Act.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and is a woman and the allegation is of recovery of 27 litres of liquor from Bebi Devi's room along with 2 quintals of mahua flower and 23 litres of liquor from petitioner's room and 1 quintal mahua flower from a place near petitioner's room along with 1000 litres of semi-prepared liquor which was destroyed at the spot.

Learned counsel for the petitioner submits that



petitioner has been falsely implicated in the present case, it is next submitted that petitioner was not apprehended from the spot as such nothing was recovered from her conscious possession, it is also submitted that house is a joint family property, as such it cannot be alleged with certainty that the liquor was kept in the knowledge of the petitioner when admittedly petitioner is a widow.

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 trial court 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 to the satisfaction of the learned trial court where the case is pending/successor court in connection with Pirpainti P.S. Case No. 204 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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