

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16218 of 2023

Arising Out of PS. Case No.-116 Year-2022 Thana- FATEHPUR District- Gaya

Asha Devi @ Aasha Devi W/O Lalan Manjhi Resident Of Village-Raja Bigha,
Paharpur, Police Station-Fatehpur, District-Gaya

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Syed Asgher Najmi
For the Opposite Party/s : Mr. Ramesh Chandra

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 22-06-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in Fatehpur P.S.
Case No. 116 of 2022 registered for the offences punishable
under Section 30(a) of the Bihar Prohibition & Excise
Amendment Act, pending in the Court of learned Exclusive
Special Excise Court No.-1, Gaya.

As per the allegation, ½ liters illicit mahua liquor
is said to have been recovered from the house of the petitioner.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. The allegation levelled against the petitioner is not
specific rather general and omnibus in nature. He submits that
nothing incriminating was recovered from the conscious



possession of the petitioner. The alleged recovery was made from the house of the petitioner which is a joint family property. The petitioner has got no criminal antecedent as mentioned in para-3 of the bail application.

Learned APP for the State vehemently opposing the bail petition submitted that the

Considering the facts and circumstances of case, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected.

However, if the petitioner surrenders before the learned Court below within six weeks from today and seek regular bail, the learned Court below would pass order on the same day in accordance with law without being prejudiced by this order, considering the fact that the petitioner is a widow.

(Anjani Kumar Sharan, J)

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