

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27669 of 2023

Arising Out of PS. Case No.-334 Year-2022 Thana- HALSI District- Lakhisarai

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DHARMSHILA DEVI WIFE OF UPENDRA @ OPI DHANDI @
UPENDRA DHADHI RESIDENT OF VILLAGE- BAHCHHA, PS- HALSI,
DISTT- LAKHISARAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Irshad

For the Opposite Party/s : Mr. Tapeswar Sharma

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 17-05-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Section 30(a) of the Bihar Excise Act.

Learned counsel for the petitioner submits that the petitioner is a women and is a person with clean antecedent and allegation is of recovery of 10 liters of liquor from the house of the petitioner.

Learned counsel for the petitioner submits that the petitioner was not apprehended from the spot as such nothing was recovered from her conscious possession, it is next submitted that even the alleged recovery is from a house which is a joint family property and, as such, it cannot be alleged with certainty that it was the petitioner who had kept the liquor in the



house or the liquor kept in the house was within her knowledge, it is next submitted that generally it is the male members who keeps liquor and the petitioner being wife of Upendra came to be implicated when admittedly, she is a person with clean antecedent.

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 his 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 each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Halsi P.S. Case No. 334 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

HarshPandey/-

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