

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38645 of 2023

Arising Out of PS. Case No.-17 Year-2023 Thana- WAJIRGANJ District- Gaya

SARITA DEVI @ SARITA KUMARI DEVI Wife of Biphan Chaudhary
Resident of village - Budhghreya, P.S. - Wazirganj, Distt. - Gaya

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vishwa Ranjan Choudhary, Advocate
For the Opposite Party/s : Ms. Gulnar Begum, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 31-07-2023

1. Heard learned counsel for the parties.

2. The petitioner in this application prays for grant of anticipatory bail apprehending her arrest in connection with Wajirganj P.S. Case no.17 of 2023 registered for the offence punishable under sections 30(a), 30(b) and 45 of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, on a raid being conducted, utensil etc. for manufacturing of liquor was recovered. The informant was further given information to the effect that one Shraddha Devi along with her son and daughter-in-law are involved in sale of liquor. On a raid being conducted on her house, a total of 15 litres of country liquor was recovered.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case only on



account of her being the daughter-in-law of the aforesaid Shraddha Devi. She was neither arrested at the spot nor any incriminating article has been recovered from her possession. The allegation, if any in the FIR, is against Shraddha Devi and not the petitioner. The petitioner has no criminal antecedent.

5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the petitioner not having been arrested at the spot together with the nature of allegation against the petitioner in the F.I.R., it is directed that the petitioner, above named, in the event of her arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Wajirganj P.S. Case no.17 of 2023 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Judge-1, Gaya, subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

(Partha Sarthy, J)

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