

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36664 of 2023

Arising Out of PS. Case No.-82 Year-2023 Thana- VAISHALI District- Vaishali

MUNNI DEVI W/O KSARVAN SHAHANI R/O Vill. Nagwan, PS. Belsor
O.P., Dist. Vaishali

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Santosh Kumar
For the Opposite Party/s : Mr. Ahmad Ali

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 07-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending her arrest in a case registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2018 pending in the learned court below.

3. Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. He submits that there is no recovery from the conscious possession of the petitioner rather 15 liters of country made liquor is said to have recovered from the hut of the petitioner. He submits that the house in question is hut without having any door and it is abandoned and free passage for anyone. He submits that there is no recovery made from the conscious possession of the petitioner. He further submits that petitioner



has got one criminal antecedent in similar nature as stated in para-3 of the bail application.

4. Per contra, learned APP for the State vehemently opposing the bail application and submits that the allegation levelled as the petitioner is serious in nature. Hence, she does not deserve anticipatory bail.

5. Considering the facts and circumstances of the case and the fact that petitioner has got one criminal antecedent in similar nature, I am not inclined to enlarge the petitioner on bail in connection with Vaishali P.S. Case No. 82 of 2023. Accordingly, her prayer for anticipatory bail is hereby rejected.

6. However, if the petitioner surrenders before the learned Court below within a period of six weeks from today and seeks regular bail, the learned Court below would pass the order, preferably, on the same day, without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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