

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38784 of 2023

Arising Out of PS. Case No.-32 Year-2023 Thana- PHULPARAS District- Madhubani

LALITA DEVI Wife Of HARISHANKAR SINGH KISANIPATTI,
PHULPARAS, MADHUBANI Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Bharti, Adv.

For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 28-07-2023 Heard Mr. Jitendra Kumar Bharti, learned counsel

for the petitioner and Mr. Ram Sumiran Rai, learned Additional

Public Prosecutor for the State.

2. Petitioner apprehends her arrest in connection
with Phulparas PS Case No. 32/2023 dated 20.01.2023
registered for the offence punishable under Sections 30(a) of
Bihar Prohibition & Excise Act, 2018.

3. As per FIR, the police got a secret information that
the petitioner along with others have stored illicit liquor in the
mango orchard and when the police party arrived there, the
accused persons started fleeing away and they succeeded in the
same. However, the police recovered 1026 litres of illicit liquor
from a vehicle standing near the mango orchard.

4. Learned counsel for the petitioner submits that the
petitioner is a lady who has been made accused on the basis of
the fact that she is the user of Mobile No. 8170906980. He
further submits that the petitioner has got no criminal antecedent



and has been made accused without any material on record to show that any conversation regarding storage of the liquor was made through the mobile phone of the petitioner. The petitioner is not the owner of the mango orchard and the liquor has been recovered from an open place which is accessible to all and sundry.

5. Regards being had to the submissions made by the parties, taking into consideration nature of allegation and the fact that no liquor has been recovered from the conscious possession of the petitioner, I am inclined to grant anticipatory bail to the petitioner.

6. Accordingly, let the petitioner, named above, in the event of arrest or surrender within four weeks from today, be released on anticipatory bail, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise Act, Jhanjharpur, Madhubani in connection with Phulparas PS Case No. 32/2023, subject to the condition as laid down under Section 438(2) CrPC.

(Anil Kumar Sinha, J)

perwez

U		T	
---	--	---	--

