

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37712 of 2023

Arising Out of PS. Case No.-61 Year-2023 Thana- LAUKAHI District- Madhubani

JIBACHHI DEVI @ TARA DEVI Wife of Sakaldeo Yadav Resident of
village - Kariyot, P.S. - Laukahi, Distt. - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gagan Deo Yadav, Adv.
Mr.Ravi Prakash, Adv.
Mr.Rajesh Kumar, Adv.

For the Opposite Party/s : Mr.Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 31-07-2023 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

2. The petitioner apprehends her arrest in connection with
Laukahi P.S. Case No.61 of 2023, registered for the offence
punishable u/s 272, 273/34 of the IPC and 30(a) of the Bihar
Prohibition and Excise Act, 2016.

3. Allegedly 36 litres of country made liquor is said to have
been recovered from the front of the house of the petitioner.

4. It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has not committed any offence
as alleged in the FIR. She has not been apprehended on the spot
nor any incriminating article has been recovered from her
conscious physical possession. She has no concern with the



recovery of the illicit liquor or any trade of liquor. Recovery has been made from the straw house which is an open place and any one can access the same. Petitioner has one criminal antecedent.

5. Having regard to the facts and circumstances of the case, since the recovery has been made from the house of the petitioner, I am not inclined to enlarge her on bail. The prayer for grant of anticipatory bail on her behalf is hereby rejected.

6. However, petitioner is at liberty to surrender before the learned Court below and seek regular bail and the learned Court below would pass order, preferably on the same day, in accordance with law, considering that the petitioner is a lady.

7. This application is accordingly dismissed.

(Anjani Kumar Sharan, J)

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