

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49562 of 2023

Arising Out of PS. Case No.-99 Year-2023 Thana- KHANPURA District- Samastipur

SITA DEVI @ SUNITA DEVI Wife of Baualal Mahto @ Bawelal Mahto
Resident of Village-Hariyabad Chakka, Police Station-Khanpur, District-
Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad

For the Opposite Party/s : Mr. Pradeep Narain Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 11-08-2023 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out of Khanpur Police Station Case No. 99 of 2023, disclosing offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2022 (hereinafter referred to as 'the Act').

The prosecution case, as per the First Information Report, is that a total of 62 liters of illicit liquor has allegedly been recovered from the house of the petitioner.

Learned Counsel for the petitioner submits that the petitioner is a lady and she has been made accused, along with her two sons, who have been granted anticipatory bail by a Co-ordinate Bench of this Court in Criminal Miscellaneous No.



46646 of 2023 and 48083 of 2023. He further submits that the petitioner was not aware about the illicit liquor being kept therein by the co-accused persons or other family members, who are residing in the joint family property.

Regards being had to the submission made by the parties and taking into consideration the fact that similarly situated co-accused persons have been granted anticipatory bail by a Co-ordinate Bench of this Court and the petitioner is a lady, I am inclined to grant the petitioner privilege of anticipatory bail.

This application is, accordingly, allowed.

Let the petitioner, above named, in the event of her arrest or surrender before the Court below within four weeks, be released on 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 I, Samastipur, in connection with Khanpur Police Station Case No. 99 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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