

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49478 of 2023

Arising Out of PS. Case No.-545 Year-2022 Thana- TAJPUR District- Samastipur

CHULAHIIYA DEVI @ CHANCHALA DEVI WIFE OF RANJIT
CHAUDHARY R/O-CHAKMADHAUL, TAJPUR, P.S.-SAMASTIPUR,
BIHAR-848101

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Piyush Kumar Pandey, Adv.

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 28-08-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends her arrest in a case registered for the offences punishable under Section 30 (a) and 41(i)(ii) of the Bihar Excise and Prohibition Act.

3. Altogether 2 litres of country made liquor has been recovered from the hut of the petitioner. On seeing the police, two persons fled away from the spot.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No incriminating article has been recovered from the conscious physical possession of the petitioner. The hut of the petitioner is located in the open place and she had no idea about the



alleged incident. Petitioner has no concern either with the seized liquor or any trade of liquor. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. Petitioner has been falsely implicated in this case at the instance of her enemy. She was not apprehended on the spot. She had not consumed liquor. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposed the prayer for bail.

6. Considering the facts and circumstances of case, as the illicit liquor has been recovered from the hut of the petitioner, I am not inclined to enlarge the petitioner on bail. The prayer for bail of the petitioner is hereby rejected.

(Anjani Kumar Sharan, J)

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