

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49587 of 2023

Arising Out of PS. Case No.-346 Year-2019 Thana- GOPALPUR District- Patna

SHOBHI DEVI @ SOMEET DEVI Wife of Bishambhar Prasad @ Bishambhar Manjhi Resident of village - Manoharpur Kachhuara, P.S. - Gopalpur, Distt. - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sudhanshu Shekhar, Adv.

For the Opposite Party/s : Mr. Md. Shakir Ahmad, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 11-08-2023 Heard Mr. Sudhanshu Shekhar, learned counsel for the petitioner and Md. Shakir Ahmad, learned Additional Public Prosecutor for the State.

2. Petitioner apprehends her arrest in connection with Gopalpur PS Case No. 346/2019 dated 14.11.2019 registered for the offence punishable under Sections 30(a)/30(d)/34/36/44(i) of Bihar Prohibition & Excise Act 2016.

3. The allegation against the petitioner as per First Information Report is that the police on the basis of confidential report raided the houses of different persons in the village and recovered altogether 35 litres of illicit liquor from the house of various persons and 20 litres have been recovered from the house of the petitioner for which the petitioner, her husband and her sons have been made accused.



4. Learned counsel for the petitioner submits that the petitioner is a lady and she has falsely been implicated in this merely because she resided in the house along with her husband and sons. Learned counsel further submits that the husband of the petitioner has been granted anticipatory bail by a Bench of this Court in Cr. Misc. No. 12258/2020 (Annexure-2).

5. Having regards to the submissions made by the parties and taking into consideration the fact that the co-accused i.e., husband of the petitioner has been granted anticipatory bail by a Co-ordinate Bench of this Court, 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, Patna in connection with Gopalpur PS Case No. 346/2019, subject to the condition as laid down under Section 438(2) CrPC.

(Anil Kumar Sinha, J)

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