

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66139 of 2023

Arising Out of PS. Case No.-262 Year-2022 Thana- GUTHANI District- Siwan

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Sangeeta Devi Wife Of Kamlesh Kumar Yadav Resident Of Village -
Bhuritala Patar, P.S. - Raghunathpur, District - Siwan, At Present D/O.
Shivnarayan Chaudhary, Resident Of Village - Thepan Paschim Tola, P.S. -
Zeeradei, District - Siwan

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Advocate

For the Opposite Party/s : Mr. Sharda Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 09-11-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Guthni P.S. Case No. 262 of 2022 dated 12.10.2022., instituted
for the offence punishable under Sections 30(a) of the Bihar
Prohibition Excise Act, 2016.

3. The allegation is of recovery of 25.200 litres
foreign liquor from the motorcycle, which belongs to the
petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and she has been falsely implicated in this
case. It is further submitted that nothing has been recovered
either from the conscious possession of the petitioner or from



the house of the petitioner. It is further submitted that the said motorcycle is registered in the name of the petitioner bearing registration no. BR29AT-8022, which was taken by Akhilesh Yadav, who is relative of the petitioner's husband for taking medicine from the market. Lastly, it has been submitted that the petitioner has no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Since the recovery of foreign liquor has been made from the motorcycle of the petitioner, I am not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

(Khatim Reza, J)

Sankalp/-

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