

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68873 of 2023

Arising Out of PS. Case No.-278 Year-2023 Thana- PATAHI District- East Champaran

REKHA DEVI wife of Late Chitranjan Prasad Village- Bakhari Ps- Patahi
Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Md. Matloob Rab

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 01-11-2023

1. Heard the parties.

2. The petitioner apprehends her arrest in connection with Patahi P.S. Case No. 278 of 2023 dated 05-09-2023 registered under Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

3. As per the F.I.R. Police on the basis of secret information reached at the Sidhi Vinayak Hospital in the Village:- Bakhari and upon seeing the Police party one woman fled away and on search a total quantity of 68.400 liters of Nepalese Soufi liquor was recovered from a bush situated beside the house of Rekha Devi (i.e. the petitioner). The Mahal Chaukidar disclosed the name of the woman who fled away as the petitioner.



4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case at the behest of the Police due to oblique motive and she has not committed any offence in the manner alleged. Learned counsel next submits that illicit Nepali soufi liquor has not been recovered from inside the house of the petitioner rather the same has been recovered from a bush situated beside the house of the petitioner, which is an open space accessible to all and sundry. The petitioner is a lady having clean antecedent.

5. Regard being had to the submission made by the parties, taking into consideration the fact that no illicit liquor has been recovered from the conscious possession and / or premises belonging to the petitioner and the petitioner is a lady having no criminal antecedent, as such, I am inclined to grant anticipatory bail to the petitioner.

6. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10000/- (rupees ten thousand) with two sureties of the like amount each to the



satisfaction of learned Exclusive Special Excise Court No.-
3, Motihari, East Champaran in connection with Patahi P.S.
Case No. 278 of 2023 subject to the condition as laid down
under Section 438 (2) of the Cr.P.C.

(Anil Kumar Sinha, J)

praful/-

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