

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77426 of 2023

Arising Out of PS. Case No.-155 Year-2023 Thana- SARE District- Nalanda

RENU DEVI W/O RAMJANAM ONDA @ RAMJANAM DHADHI @
RAMJANAM RAM R/O VILLAGE- ONDA, P.O- ONDA AND P.S- SARE,
DISTT.- NALANDA (BIHAR).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aklavya Chandan Kumar, Adv.

For the Opposite Party/s : Mr.Mukesh Kumar Singh, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 02-12-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends her arrest in connection with Sare P.S. Case No. 155 of 2023, registered for the offences punishable under Section 30(a)(b)(c) of Bihar Prohibition and Excise Act, 2016.

3. On the basis of secret information regarding manufacturing of desi liquor, when the informant along with local *choukidar* reached at the place of occurrence, two women and four men tried to flee away, but one of them got apprehended on the spot and disclosed the name of the persons who fled away. On search, altogether 10 litres of country made liquor along with small gas cylinder with stove, one aluminium



pot and a soil made pot has been recovered 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. Petitioner has no concern either with the seized liquor or the place of recovery 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. There is nothing on record to indicate the complicity of the petitioner barring the confessional statement of the apprehended person which has no evidentiary value in the eye of law. Petitioner has three criminal antecedents of similar nature that of the present case as mentioned in para-3 of this application.

5. Learned APP for the State opposed the prayer for bail and submitted that there is ample evidence on record to indicate the complicity of the petitioner in the present case. He further submits that from perusal of record, it is evident that petitioner is member of the mob, involved in manufacturing of illicit liquor.



6. Considering the facts and circumstances of case, 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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