

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75350 of 2022

Arising Out of PS. Case No.-314 Year-2022 Thana- JAYNAGAR District- Madhubani

LALITA DEVI W/O KRISHNADEO CHOUDHARY Resident of village-
Baluatol, P.S.- Jaynagar, District- Madhubani.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Jha
For the Opposite Party/s : Mrs. Sucheta Yadav

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 21-03-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends her arrest in a case registered for the offences punishable u/s 272, 273, 34 of IPC and 30 (a) of Bihar Prohibition of Excise Act.

Altogether 447 liters of country made liquor is said to have been recovered from the house of the petitioner.

It is submitted by learned counsel for the petitioner is quite innocent and has committed no offence. No incriminating article has been recovered from the conscious physical possession of the petitioner. She has been falsely implicated in this case at the instance of her enemy. She was not apprehended on the spot and her name transpired in the case only on the basis that the petitioner is the owner of the said house from which the



recovery has been made. He further submits that the said house is a joint house and petitioner has no concern with the alleged recovery. Petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, since the recovery has been made from the house of the petitioner, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on her behalf is hereby rejected.

This application is accordingly, dismissed.

(Anjani Kumar Sharan, J)

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