

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33114 of 2024

Arising Out of PS. Case No.-81 Year-2024 Thana- PARAIYA District- Gaya

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Bebi Devi @ Naurangi Devi W/O Bachan Manjhi R/O Village- Solera, P.S-
Paraiya, Distt.- Gaya. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Aryan Singh
For the Opposite Party/s : Mr. Lalan Kumar

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 22-05-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending her arrest in connection with Paraiya P.S. Case No. 81/2024 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2022.

3. As per prosecution case, there is alleged recovery of 15 liters *Mahua* liquor from the house of the petitioner. Local Chowkidar identified the petitioner and others who fled away from the place of occurrence.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case. The petitioner bears no criminal antecedent. He further submits that alleged recovery was made from joint house of the petitioner. The petitioner has inimical term with local Chowkidar who has falsely



implicated the petitioner in the present case. He further submits that seizure list has not been prepared as per law and there is complete violation of Section 100 Cr.P.C. and there is no dependent witness and no copy of seizure has been provided to any family members. In the light of aforesaid submission, no case is made out under the Bihar Prohibition and Excise Act.

5. The learned A.P.P. for the State opposed the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner above-named, in the event of her arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Exclusive Judge-02, Gaya in connection with Paraiya P.S. Case No. 81/2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Alok Kumar Pandey, J)

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