

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54448 of 2024

Arising Out of PS. Case No.-345 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Gaya

=====

Manju Devi Wife of Satyendra Paswan R/V- KAHUDAG, P.S.-
BARACHATTI, DISTT.- GAYA(BIHAR)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Amritanshu Dangi
For the Opposite Party/s : Mr. Arun Kumar

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 31-08-2024 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Excise Police Station Case No. 345 of 2021, disclosing offences under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.
3. As per the prosecution story, on 07.12.2021, on the basis of information, received by the excise team, the team arrived at the house of the petitioner and recovered 10 liters of mahua liquor from the back side of the house near the boundary wall.
4. Learned Counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged.



The illicit liquor has been recovered not from the conscious possession or inside the house of the petitioner but the same has been recovered from the back side of the house near the boundary wall which is an open space accessible to all and sundry. The petitioner is a lady.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that liquor has not been recovered from inside the house of the petitioner but the same has been recovered near the boundary wall, I am inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. Let the petitioner, above named, in the event of her arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Exclusive Excise Court No. 3, Gaya, in connection with Excise Police Station Case No. 345 of 2021, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

HarshPandey/-

U		T	
---	--	---	--

