

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69759 of 2024

Arising Out of PS. Case No.-166 Year-2024 Thana- BENIPATTI District- Madhubani

Kaushalya Devi Wife of Late Arun Mahto Village - Tyonth Ward No. 3 Ps-
Benipatti, Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Miss Kusum Rani

For the Opposite Party/s : Mr.Narendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-10-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends her arrest in connection with Benipatti P.S. Case No. 166 of 2024 for the offences punishable under Section 30(a), 32, 41(i) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. Altogether 15.9 litres of Dilwale Soufi Nepali country made liquor has been recovered from the courtyard of the petitioner's house.

4. It is submitted by learned counsel for the petitioner that the 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 any trade of liquor. The



allegation levelled against the petitioner is totally false and based on concocted facts. Petitioner is a housewife and she has no role in the alleged occurrence. Her name has been transpired in the present case due to enmity. The alleged house, from where recovery has been made, does not belong to the petitioner, rather the same belongs to the joint family. The said house is inhabited by her several family members and she had no knowledge of keeping of the said liquor in the house. She was not apprehended on the spot. It is further submitted that petitioner has no criminal antecedent as mentioned in para 3 of the bail application.

5. Learned APP for the State opposes the prayer for bail.

6. Considering the facts and circumstances of the case as well as the place of recovery, I am not inclined to enlarge her on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected.

7. Accordingly, this application stands dismissed.

(Anjani Kumar Sharan, J)

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