

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76688 of 2024

Arising Out of PS. Case No.-62 Year-2024 Thana- Mathurapur District- Samastipur

Shobha Devi @ Lakho Devi W/O Late Vinod Mahato Resident of Village-
Nagarbasti, Ward No. 14, P.S- Mathurapur, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Bhushan Prasad
For the Opposite Party/s : Mr.Nagendra Prasad

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 18-11-2024 1. Heard the parties.

2. The petitioner apprehends her arrest in connection with Mathurapur P.S. Case No. 62 of 2024 dated 05.09.2024 registered under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act 2018.

3. As per the F.I.R. a total quantity of 01 liter of country made liquor in a green colour bottle along with one big cylinder, one small gas stove, one aluminum utensil along with a plastic bucket containing raw material for preparation of liquor has been recovered from the hut of Mantu Ray.

4. Learned counsel for the petitioner submits that petitioner is innocent and she has not committed any offence in the manner alleged. The name of the petitioner has surfaced in the disclosure made by the arrested co-accused / Mantu Ray. The



recovery of illicit liquor has been made from the hut of the apprehended co-accused Mantu Ray. The illicit liquor in question has not been recovered from the conscious possession and / or premises belonging to the petitioner.

5. Regard being had to the submission made by the parties, taking into consideration the fact that 01 liter of country made liquor has been recovered from the hut of the arrested co-accused, no incriminating article has been recovered from the conscious possession of the petitioner and the petitioner is a lady, I am inclined to grant anticipatory bail to the petitioner.

6. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today 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 Judge, Excise 2, Samastipur in connection with Mathurapur P.S. Case No. 62 of 2024 subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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