

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83635 of 2023

Arising Out of PS. Case No.-440 Year-2023 Thana- ALOULI District- Khagaria

SAMO DEVI WIFE OF OJIL SADA @ HIRALAL SADA RESIDENT OF
VILLAGE - SHUMBHA GAZIGHAT, TOLA MUSAHARI, P.S. -
BAHADURPUR (ALAUULI), DISTRICT - KHAGARIA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Singh, Adv.

For the Opposite Party/s : Mr.Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 09-01-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends her arrest in connection
with Alauli P.S. Case No.440/2023, G.R (E) No.236/2023,
registered for the offences punishable u/s 30(a) of Bihar
Prohibition and Excise Amendment Act, 2018.

3. Altogether 4 litres of country made liquor is said to
have been recovered from the hut of the petitioner.

4. It is submitted by learned counsel for the petitioner that
the petitioner is quite innocent and has committed no offence.
She has been falsely implicated in this case due to ulterior
motive. No incriminating article has been recovered from the
conscious physical possession of the petitioner. She has no



concern either with the seized liquor or any trade of liquor. She was not apprehended on the spot and her name transpired in the case on the basis that, from her hut, recovery has been made but she denies the allegation of recovery of liquor from her hut. There is no compliance of section 100 of the Cr.P.C. Petitioner has no criminal antecedent.

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

6. Accordingly, this application is dismissed.

(Anjani Kumar Sharan, J)

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