

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.889 of 2024

Arising Out of PS. Case No.-793 Year-2021 Thana- PHULWARISHARIF District- Patna

LALT DEVI @ SUMITRA DEVI @ SUMITA DEVI WIFE OF KANHAI CHAUHAN @ SOHAN CHAUHAN @ KANHAIYA CHAUHAN R/O VILLAGE- GOVINDPUR, NONIA TOLA, P.S.- PHULWASRISHARIF, DISTRICT- PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rudra Deo, Adv.

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-01-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. This is the second attempt of the petitioner for grant of anticipatory bail in connection with Phulwarisharif P.S. Case No.793 of 2021, registered for the offences punishable u/s 30(a)/30(c)/32(iii)/36 of Bihar Prohibition Excise Amendment Act, 2018. Earlier bail application of the petitioner bearing Cr. Misc. No.47380 of 2022 was dismissed by this Court on 14.02.2023 on account of non-prosecution.

3. Altogether 30 litres of country made liquor is said to have been recovered from the house 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 house, recovery has been made but petitioner submits that no recovery has been made from her house. 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 house 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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