

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85921 of 2023

Arising Out of PS. Case No.-397 Year-2023 Thana- NAANPUR District- Sitamarhi

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Sahnaj Nadaf @ Sahnaj Khatoon @ Sanaj Khatoon W/O MD. BECHAN @
BECHAN NADAF VILLAGE- GAURI, WARD NO. 14, PS. NANPUR,
DIST. SITAMARHI (BIHAR).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shankar Kumar, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 18-01-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends her arrest in connection with
Nanpur P.S. Case No. 397 of 2023 registered for the offences
punishable under Section 30 (a) of the Bihar Prohibition and
Excise Act.

3. Altogether 2 litres country made liquor has been
recovered from the house of the petitioner's husband. 150 litres
liquid of *Mahua* Mitha has also been recovered. After seeing
the police, petitioner is said to have fled away from the spot.

4. It is submitted by learned counsel for the petitioner
that petitioner is quite innocent and has committed no offence.
No incriminating article has been recovered from the conscious



physical possession of the petitioner. She has no concern either with the seized liquor or the place of recovery or any trade of liquor. She was not apprehended on the spot. There is nothing on record to indicate the complicity of the petitioner barring the confessional statement of the apprehended person, namely, Bechan Nadaf which has no evidentiary value in the eye of law. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

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

6. Having regard to the facts and circumstances of the case, as the illicit liquor has been recovered from the house of the petitioner, I am not inclined to enlarge her on anticipatory bail.

7. The prayer for anticipatory bail of the petitioner is hereby rejected.

(Anjani Kumar Sharan, J)

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