

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29988 of 2025

Arising Out of PS. Case No.-81 Year-2024 Thana- BEERPUR District- Begusarai

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1. Gita Devi W/O Late Ramkumar Sada @ Raj Kumar @ Ram Kumar R/O Village- Muzffara Malahdih, Bandhpur, P.S.- Birpur, Dist.- Begusarai.
 2. Gita Devi @ Marni Devi W/O Late Karu Sada @ Karu Saw R/O Vill.- Malahdih, Ward no. 7, Bandhpur, P.S.- Birpur, Dist.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Sinha
For the Opposite Party/s : Mr.Raj Kishor Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 15-05-2025 1. Heard the parties.

2. The petitioners apprehend their arrest in connection with Birpur P.S. Case No. 81 / 2024 dt. 04.05.2024 registered for the offence u/s 30(a) & 45 of the Bihar Prohibition and Excise Amendment Act 2022.

3. As per the F.I.R. on 04.05.2024 the police got secret information that the F.I.R. named accused persons namely Rameshwari Devi, Dhaneshwari Devi, Gita Devi (petitioner no. 1), Gita Devi @ Marni Devi (petitioner no. 2) are manufacturing and selling illegal 'mahua' wine at Malahdih, Bandh Par. The police arrived at the place of occurrence and apprehended one person having a 10-15 liter plastic gallon in his hand who



disclosed his name as Sonelal Sahni. 12 liters country made 'mahua' liquor has been recovered from the gallon of Sonelal Sahni. While the arrested accused Sonelal Sahni was being brought to Police Station in a police vehicle, 10-20 woman tried to stop the police vehicle and used filthy / defamatory language and hurled derogatory remarks making it difficult for the police to maintain law and order.

4. Learned counsel for the petitioners submits that petitioners have not committed any offence in the manner alleged. Illicit liquor has not been recovered from the conscious possession and / or premises belonging to the petitioners. Illicit liquor has been recovered from the possession of the co-accused Sonelal Sahni. Both the petitioners are house wife having small children to look after. The petitioners have no criminal antecedent.

5. I have heard learned counsel for the parties and perused the materials on record. From perusal of the F.I.R. it is evident that both the petitioners are named therein with allegation that the petitioners along with 10-20 woman folk surrounded the police vehicle, used defamatory language against the police and obstructed the government servants from discharge of their official duty. The petitioners along with the co-accused created



unruly scene when the police party arrived to discharge their official duty. An attack on police team while on official duty undermines the safety and security of law enforcement agency. Incidents of mob violence against law enforcement agency have become the order of the day now in this state which can be very dangerous often escalating tensions and compromising public safety.

6. Accordingly, I am not inclined to grant the petitioners the privilege of anticipatory bail.

7. This application is accordingly rejected.

(Anil Kumar Sinha, J)

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