

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59371 of 2024

Arising Out of PS. Case No.-203 Year-2023 Thana- TARARI District- Bhojpur

Maya Devi, Female, aged about 42 years, Wife of Munna Yadav, Resident of
Village- Bihta, P.S.- Imadpur, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raju Singh, Advocate

For the Opposite Party/s : Mr. Braj Kishore Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

5 17-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends her arrest in connection
with Tarari P.S. Case No. 203 of 2023 instituted for the offences
punishable under Section 30(a) of the Bihar Prohibition and
Excise Act.

3. As per the prosecution case, total 100 liters country
made wine was recovered from a motorcycle bearing Chechis
No. MBLHAW121NHB15396 and Engine No. HA11EDNH
B41749.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this
case. He further submits that petitioner has no knowledge about



the alleged occurrence. He next submits that petitioner is the owner of the said vehicle. Nothing incriminating article has been recovered from the conscious possession of the petitioner. Petitioner has got no criminal antecedent as stated in para 3 of the petition.

5. Learned APP for the State has opposes the prayer for bail.

6. From perusal of the FIR and also perused the impugned order dated 08.05.2024 passed by the learned Exclusive Special Excise Judge-II, Bhojpur, Ara, it appears that petitioner is not named in the FIR. It also appears that total 100 liters country made wine was recovered from a motorcycle bearing Chechis No. MBLHAW121NHB15396 and Engine No. HA11EDNH B41749. It is the admitted fact that petitioner is the owner of the said motorcycle from which recovery was made, so, considering the aforesaid facts and circumstances of the case and submissions of learned counsel for the parties as well as involvement of the petitioner in the alleged commission of offence, I am not inclined to grant bail to the petitioner.

7. Accordingly, the application stands dismissed.

8. However, if the petitioner surrenders before the Trial Court, the Trial Court may consider her prayer for bail



without being prejudiced by this order and disposed of on the same day, in accordance with law, as the petitioner being a lady.

(Ramesh Chand Malviya, J)

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