

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55828 of 2024

Arising Out of PS. Case No.-3 Year-2024 Thana- CHANDAN District- Banka

LAXMI SONI W/O RAJESH SONI R/O VILLAGE BANDARBELA,
POLICE STATION- BARHI (PADMA O.P), DISTRICT- HAZARIBAGH
(JHARKHAND).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Mukherjee
For the Opposite Party/s : Mr.Sunil Kumar Pandey

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

ORAL ORDER

2 17-01-2025 Heard learned counsel appearing on behalf
of the parties.

2. The petitioner apprehends arrest in
connection with Chandan P.S. Case No.03 of 2024 registered for
the offence under Section 30(a) of Bihar Prohibition and Excise
Act.

3. As per FIR, there is recovery of total
1173.825 liters of illicit foreign liquor from a pickup van
bearing registration no. JH02BG-5199.

4. Learned counsel appearing on behalf of the
petitioner submits that the petitioner has falsely been implicated
in the present case, where, petitioner is a lady. It is submitted
that nothing has been recovered from conscious physical



possession of this petitioner rather the recovery has been made from the said pickup van. It is submitted that the petitioner is only registered owner of the pickup van, where, she has no knowledge about the illegal consignment of illicit liquor.

5. Learned APP appearing on behalf of the State, opposes the prayer of bail of the petitioner and submitted that Section 76(ii) of the Bihar Prohibition and Excise Act prohibits to grant anticipatory bail.

6. In view of the submissions, as made above and as recovery of illicit liquor has been made from the pickup van of the petitioner, who is registered owner and as the petitioner is also involved in one another case and as Section 76(ii) of the Bihar Prohibition and Excise Act prohibits to grant anticipatory bail to the petitioner, this Court is not inclined to grant bail to the petitioner, at present.

7. Accordingly, the prayer of bail of the petitioner is rejected herewith.

(Ramesh Chand Malviya, J)

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