

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43172 of 2015

Arising Out of PS.Case No. -40 Year- 2009 Thana -GOVERNMENT OFFICIAL COMP. District-
AURANGABAD

=====

Phulmati Devi @ Fulmati Devi, W/O Sri Ramtawakal Singh, resident of
village- Dhiri Bigha, P.S. Mali, District- Aurangabad (Bihar).

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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CORAM: HONOURABLE MR. JUSTICE RAMESH KUMAR DATTA
ORAL ORDER

2 03-11-2015 Heard learned counsel for the petitioner and learned
Additional P.P. for the State.

The petitioner prays for anticipatory bail in a case under
Section 47A of the Bihar Excise Act.

Although the case was registered in the year 2009 but
according to the petitioner she became aware of the same only
when the police reached her residence in her absence with warrant
of arrest.

It is submitted by learned counsel for the petitioner that
the petitioner was not named in the earlier information given by
the Excise Authorities but subsequently the name of the petitioner
has been roped in the case. It is further submitted that admittedly
the petitioner was a licensee of country-made liquor shop and thus
there was no occasion for the petitioner to have indulged in selling
of illegal liquor and because the recovery has been made from the

godown adjacent to the country-made shop, the petitioner has been falsely implicated. It is further submitted by learned counsel that the petitioner is an old lady, aged about 78 years and seriously ill and has been advised by the Doctor attending her for taking bed rest.

On a consideration of the facts and circumstances of the case, it is directed that the petitioner, Phulmati Devi @ Fulmati Devi, in the event of her arrest/surrender in the court below within a period of four weeks from today shall be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each in connection with Excise Case No. 40 of 2009 to the satisfaction of Sri Mahavir Prasad, Judicial Magistrate, 1st Class, Aurangabad, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ramesh Kumar Datta, J)

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