

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7996 of 2016

Arising Out of PS.Case No. -43 Year- 2014 Thana -ARIYARI District- SEKHPURA

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Bhagia Devi, wife of Nande Chaudhary, resident of Village Masaurha, P.S.
Ariari (Kasar), District Sheikhpura

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Anjani Pd. Singh, Advocate

For the Opposite Party/s : Mr. Rina Sinha, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 23-02-2016 Heard learned counsel for the petitioner and
learned APP for the State.

Petitioner apprehends arrest in connection with
Ariari (Kasar) P.S. Case No. 43/14 for offences alleged under
Sections 272, 273 of the Indian Penal Code and Section 47(A) of
the Excise Act.

The prosecution case, as lodged by the A.S.I.
Balram Prasad, is that he along with several police personnel
proceeded for evening patrolling on 30.03.2014 at 5.30 P.M. at
village Sasbahna and at 6.00 P.M. received information that at
village Masaurha one Bhagia Devi has been selling illegal
country-made liquor, for which some unwanted persons have been
gathering there. On this information they proceeded from
Sasbahana and reached Masaurha near the house of Bhagia Devi.
On seeing police party all persons fled away in dark. Informant

prepared seizure-list of 25 litres Mahua liquor before the two independent witnesses.

It has been submitted by the learned counsel for the petitioner that the petitioner is innocent and is a first offender as there is no criminal antecedent against her, as is evident from paragraph 3 of this petition. It has further been submitted that very little quantity of Mahua liquor i.e. 25 litres has been recovered by the police and that too not from the conscious possession of the petitioner.

Learned APP, however, submits that the petitioner is named in the First Information Report.

Be that as it may, let petitioner, above named, in the event of her arrest or surrender before the court below within a period of eight weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Sheikhpura, in connection with Ariari (Kasar) P.S. Case No. 43/14, G.R. No. 327/2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Nilu Agrawal, J.)

Rajesh/-

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