

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29183 of 2016

Arising Out of PS.Case No. -187 Year- 2016 Thana -GOVERNMENT OFFICIAL COMP. District -
GAYA

Sarswati Devi Wife of Sri Deepu Chaudhary resident of village -
Jagarnathpur, P.S. Fatehpur, District - Gaya

.... .. Petitioner/s

Versus

The State of Bihar

.... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prithivi Raj Singh, Advocate.

For the Opposite Party/s : Mr. Sri Tarun Prasad Mandal, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 01-09-2016 Heard learned counsel for the petitioner and learned counsel
for the State.

The petitioner is languishing in custody since 9.6.2016 in
connection with Excise Case No. 187 of 2016 registered for
offences under Sections 47(a) (e) of Excise Act.

The prosecution story, in brief, is that the Excise Force
along with SAP Force and Home Guard on confidential
information have raided on the back side of house of Sarswti Devi
and 25 Kg of Mahua in a jar had recovered. It is further alleged
that a seizure list was prepared in presence of two independent
witnesses.

On behalf of the petitioner, it is submitted that the petitioner
is in custody since 9.6.2016. Charge-sheet has been submitted in

the present case. The petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. Petitioner is a lady. She has got three small child children. There is no one to take care them. The recovery of Mahua was denied by the petitioner. There is no compliance of Section 100 Cr.P.C.

On behalf of the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, 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 the learned Additional District and Sessions Judge 2nd, Gaya in connection with Excise Case No. 187 of 2016.

(Sudhir Singh, J)

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