

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.33951 of 2016**

Arising Out of PS.Case No. -125 Year- 2016 Thana -KOTWALI District- MUNGER

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1. Anita Devi Wife of Late Raju Bind resident of village - Gumati No. 2  
Beldar Tola, P.S. Kotwali, District - Munger

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ajit Kumar Singh

For the Opposite Party/s : Mr. Sri Sanjay Kumar Tiwary 1

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA**  
**ORAL ORDER**

2      19-08-2016                      Heard learned counsel for the petitioner as well as  
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered under  
Sections-399, 402 of the Indian Penal Code and under Sections-  
25(i-B)A/26/35 of the Arms Act.

Eighty bottles of Indian made foreign liquor were  
recovered from a rickshaw, while the petitioner was carrying the  
same.

Submission on behalf of petitioner is that the  
petitioner, being a lady, is languishing in jail custody since 04-05-  
2016 and even if, the aforesaid recovery assumed to be true, then  
also, mere keeping the Indian foreign liquor does not constitute  
any offence because it is not case of the prosecution that the

petitioner was caught, while she was selling the said seized liquor.

Considering the above-said facts and circumstances of the case as well as submission of the parties, let the petitioner named above, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Kotwali P.S. Case No. 125 of 2016 to the satisfaction of learned Chief Judicial Magistrate, Munger.

**(Hemant Kumar Srivastava, J)**

A.K.V./-

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