

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.57391 of 2015

Arising Out of PS.Case No. -486 Year- 2013 Thana -MOTIHARI TOWN District-
EASTCHAMPARAN(MOTIHARI)

1. Umrawati Devi W/o Kartik @ Kartik Prasad, Resident of Village -
Shantipuri, P.S. - Motihari Town, District - East Champaran.

.... .. Petitioner/s

Versus

1. The State of Bihar

.... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kundan Kumar

For the Opposite Party/s : Mr. B.M.P.Sinha(App)

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 14-01-2016 Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner apprehends her arrest in connection
with Motihari Town P. S. Case No. 486/2013 registered for
offences punishable under Sections 272, 273 and 34 of I.P.C. and
47 (A) of the Excise Act.

The prosecution case on the written application by
Rakesh Kumar Singh to the O/C of Town P.S., alleging therein
that wife of Kartik and Kartik used to sell wine illegally in his
mohalla due to which wrong impression were put on the children.
They have told several times to leave the illegal profession but
they were not ready to listen, then he alongwith people of
Shantipur Mohalla namely Suman Singh, Monu Singh, Mukesh,
Bablu Kumar, Niki Singh caught Kartik alongwith 65 (Sachet) of

illegal wine each containing 200 Gram but Kartik and his wife succeeded in fleeing away. They were selling wine by putting a hut in the land of Zila Parishad illegally.

It has been submitted by the learned counsel for the petitioner that the petitioner is an old lady having no criminal antecedent. No case against her is made out and Sections 272, 273 and 34 of the I.P.C. are bailable.

It has been submitted that no recovery has been made from the possession of the petitioner and the petitioner has nothing to do with the alleged occurrence regarding manufacturing of liquor.

Be that as it may, let the above named petitioner 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 bonds of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Motihari Town P.S. Case No. 486 of 2013, subject to the conditions as laid down under Section 438(2) of the Cr. P. C.

(Nilu Agrawal, J)

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