

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39548 of 2016

Arising Out of PS.Case No. -47 Year- 2016 Thana -HABIBPUR District- BHAGALPUR

- =====
1. Poonam Devi Wife of Shivan Choudhary
 2. Most. Fulkiya Devi Wife of Bablu Choudhary Both are Resident of Village- Diwan Pokhar, p.S- Habibpur District - Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha

For the Opposite Party/s : Mr. Smt. Pronati Singh

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 17-09-2016 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners seek bail in connection with Habibpur P.S.Case No. 47 of 2016 registered under Sections 272, 273 of the Indian Penal Code and Section 47/54 of the Excise (Amendment) Act, 2016.

It is contended that the search and seizure of the houses of the petitioners were made in complete violation of the mandate of Section 100 of the Code of Criminal Procedure. The seizure list does not contain the signature of the petitioners or any of their family members. It is further contended that for the alleged recovery of 30 liters of illegal *Mahua* liquor from the houses of each of the petitioners, they are in custody since 30th

July, 2016.

Regard being had to the submissions advanced at the Bar, the petitioners, Poonam Devi and Most. Fulkiya Devi, who are said to have no criminal antecedents, are directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-XII, Bhagalpur in connection with Habibpur P.S.Case No. 47 of 2016.

(Ashwani Kumar Singh, J)

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