

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51123 of 2016

Arising Out of PS.Case No. -188 Year- 2016 Thana -MANSI District- KHAGARIA

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Rubi Devi @ Rubee Devi @ Durgi Devi, Wife of Sanjeev Sah @ Sanjeet Kumar, Resident of Village- Chak Husaini, Ward No. 8, P.S.- Mansi District- Khagaria.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Mrityunjay Kumar, Advocate
Mr. Umesh Prasad, Advocate

For the Opposite Party : Md. Ansarul Haque(APP)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 29-11-2016

Heard learned counsel for the petitioner and the learned APP for the State.

The petitioner is languishing in judicial custody since 02.10.2016 in connection with Mansi P.S. Case No. 188 of 2016 for offence punishable under Section 47 of the Bihar Excise Amendment Act, 2016.

The prosecution case is that on secret information the police party apprehended the petitioner who was carrying foreign liquor from Seemanchal Express train and seized about 10 liters of English liquor.

It has been submitted by the learned counsel for the

petitioner that she is innocent and has no criminal history and has been falsely implicated. It has further been submitted that there is contradiction in the FIR and the seizure list, as in the FIR the petitioner was apprehended near the house but in the seizure list, the place where the liquor was seized was on the road, which makes the entire prosecution case doubtful. It is further been submitted that the petitioner has home and hearth in the village, so there is no chance of absconding or tampering with the evidence.

However, learned APP for the State submits that the petitioner is named in the First Information Report, hence, opposes the prayer for bail.

Be that as it may, considering the facts and circumstances, let petitioner, above named, be enlarged 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 Chief Judicial Magistrate, Khagaria, in connection with Mansi P.S. Case No. 188 of 2016 (G.R. No. 2068 of 2016).

(Nilu Agrawal, J.)

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