

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.23408 of 2017**

Arising Out of PS.Case No. -138 Year- 2017 Thana -KISHANGANJ District- KISANGANJ

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Rakhi Devi, Wife of Nirmal Kumar Pandey @ Nirmal Pandey, resident of  
Village-Dharamganj, (Kelabagan), P.S. Kishanganj, District-Kishanganj.

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioner : Mr. Amal Kumar Sinha, Advocate.

For the Opposite Party : Mr. Bal Mukund Prasad Sinha, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

3      23-05-2017                      Heard learned counsel for the petitioner and learned  
counsel for the State.

The petitioner is languishing in custody since 24.03.2017  
in connection with Special Case No. 14/2017, arising out of  
Kishanganj P.S. Case No. 138 of 2017 for the offences instituted  
under Sections 36, 37(A) and 38 of Bihar Excise Act.

The prosecution story, in brief, is that the informant  
alongwith others raided a hotel and 2.4 liters of country made  
liquor was recovered from possession of the petitioner.

It has been submitted on behalf of the petitioner that the  
petitioner is in custody since 24.03.2017. There is no allegation of  
tampering of the witnesses alleged against the petitioner. It is  
alleged that 2.4 liters of country made liquor is said to have been



recovered from possession of the petitioner. No compliance of Section 100 Cr. P.C. has been made in the present case.

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 & Sessions Judge 2<sup>nd</sup>-cum- Special Judge, Kishanganj, in connection with Special Case No. 14/2017, arising out of Kishanganj P.S. Case No. 138 of 2017.

**(Sudhir Singh, J)**

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