

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7701 of 2017

Arising Out of PS.Case No. -280 Year- 2016 Thana -BARACHATTI District- GAYA

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Gauri Devi, wife of Munna Kumar, Resident of Mohalla- Gajadhar Chak,
P.S. Danapur, District- Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ram Binod Singh, Advocate

For the Opposite Party : Mr. Anil Kumar (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 01-03-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends her arrest in connection with Barachatti P.S. Case No. 280 of 2016, registered for the offences punishable under Sections 272, 273, 120(B) of the Indian Penal Code and Section 47(A), 48 and 57 of Bihar Excise Amendment Act, 2016.

Allegedly, from Bolero vehicle of the petitioner total 612 bottles whiskey each containing 750 ml. total 459 liters was recovered.

Submission is of false implication and that the petitioner has got no concern with the whiskey. As a matter of fact, the petitioner is only the registered owner of the vehicle. The husband of the petitioner has given the said vehicle to his friend



for marriage purpose and, as such, the petitioner was not aware regarding loading of wine in the said vehicle and, as such, the petitioner deserves sympathetic consideration.

The learned A.P.P. opposes the prayer of bail by submitting that the petitioner is a registered owner of the vehicle in question.

In the facts and circumstances as stated above, I am not inclined to grant privilege of pre-arrest bail to her and accordingly her such prayer stands disposed of in connection with Barachatti P.S. Case No. 280 of 2016, pending in the Court of learned A.C.J.M., Sherghati, Gaya.

However, in case and if so advised the petitioner surrenders and seeks regular bail then her prayer for regular bail shall be considered preferably on the same day on its own merits without being prejudiced by the order of this Court.

(Jitendra Mohan Sharma, J.)

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