

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51006 of 2017

Arising Out of PS.Case No. -17 Year- 2017 Thana -MEHUS District- SEKHPURA

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1. Lagni Devi D/o Ishwar Ram resident of village - Mehus, Police Station - Mehus, District - Sheikhpura.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nilendu Kumar Choudhary

For the Opposite Party/s : Mr. Sir Pramod Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 13-11-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Excise Case No. 459 of 2017 arising out of Mehus P.S. Case No. 17 of 2017 instituted for the offence under Sections-272, 273, 353, 307 and 337 of the Indian Penal Code and 30(a)(d), 45 of the Bihar Prohibition and Excise Act, 2016.

It is alleged that two litres of country-made liquor and some utensils were recovered from house of Vijay Ram. The petitioner is said to be wife of aforesaid Vijay Ram. The seizure list is enclosed as Annexure-1 to this petition which does not bear signature either of the petitioner or any of her family members. The petitioner has clean antecedent. There is no allegation that any liquor has been recovered from her conscious possession.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioner named above in the event



of her arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with in Excise Case No. 459 of 2017 arising out of Mehus P.S. Case No. 17 of 2017 to the satisfaction of Additional District & Sessions Judge-I, Sheikhpura subject to condition as laid down u/S 438(2) of the Cr.P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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