

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.248 of 2017

Arising Out of PS.Case No. -175 Year- 2016 Thana -KHIJARSARAI District- GAYA

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1. Manju Devi Wife of Dinesh Choudhary Resident of Village-Hajichak,
P.O.-Nagariwan, Uchauli, Police Station-Khizarsarai, District-Gaya

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2

For the Opposite Party/s : Mr. Sri Ram Naresh Ray

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

4 18-03-2017

Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Khizarsarai Police Station Case No. 175 of 2016, disclosing offences under Sections 47(A) (E) (G) of the Bihar Excise (Amended) Act, 2016.

Learned counsel for the petitioner has submitted that the petitioner happens to be a lady, who is of clean antecedent, has been made accused for keeping the bottle of Sprite, in which, six liters of country made liquor alleged to have been found. In fact, the F.I.R. has been lodged after lapse of five days from the date of alleged recovery. No recovery has been made from the conscious possession of the petitioner. Neither the



petitioner, being a poor rural lady, is in habit of taking liquor nor she is in occupation of selling the same. Hence, the petitioner, who is a victim of circumstance only, deserves the privilege of anticipatory bail.

Considering the facts and circumstances of the case, let the petitioner, above named, in the event of her arrest or surrender before the Court below within six weeks, 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 learned Judicial Magistrate- 1st Class, Gaya, in connection with Khizar Sarai Police Station Case No. 175 of 2016, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Arvind Srivastava, J.)

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