

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47396 of 2017

Arising Out of PS.Case No. -446 Year- 2017 Thana -MUZAFFARPUR TOWN District-
MUZAFFARPUR

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Gita Devi, Wife of Rajesh Patel, Resident of Mohalla- Sahu Road, Near
Chatarbhuj Memorial Trust, P.S.- Town, District- Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nachiketa Jha

For the Opposite Party/s : Mr. Sri S.M. Rahman

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 04-10-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Muzaffarpur
Town P.S. Case No. 446 of 2017 for offences punishable under
Sections 272 and 273 of the Indian Penal Code and Section 30 (a),
38 (1), 38(2), 47/48 of the Bihar Prohibition and Excise Act.

The prosecution case, as lodged by the police
personnel, is that during course of vehicle checking they
apprehended one Rajesh @ Hanuman who revealed that liquor is
being kept in the house of one Rajesh Patel and was supplied to
various places. The house of Rajesh Patel was raided and about 70
liters of foreign liquor was found beneath the bed. The petitioner
is wife of co-accused Rajesh Patel. Accordingly, the seizure list



was prepared.

It has been submitted by the learned counsel for the petitioner that she is innocent and being a lady she has been falsely implicated in the aforesaid case. It is submitted that no overt act has been committed by the petitioner, nothing has been recovered from her conscious possession and that charge-sheet has already been submitted and she is languishing in judicial custody since 03.07.2017. He submits that the petitioner has no criminal antecedent and there is no allegation of tampering of the prosecution witnesses by the petitioner.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, 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 Special Judge, Excise, Muzaffarpur in connection with Muzaffarpur Town P.S. Case No. 446 of 2017.

(Nilu Agrawal, J)

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