

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28765 of 2017

Arising Out of PS.Case No. -17 Year- 2017 Thana -BHAGALPUR RAIL P.S. District-
BHAGALPUR

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Shahjadi @ Sarita Khatoon Wife of Md. Israil Resident of Village-Anjuman
Nagar, P.S. Giriwabari District Sahebganj

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shiwesh Chandra Mishra, Advocate

For the Opposite Party/s : Mr. Sri Mustaque Alam, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL ORDER

2 01-07-2017

Heard learned counsel for the petitioner and learned

APP for the State.

This is a case registered under Sections 30(A) and 38
of Bihar Excise (Amendment) Act.

Counsel for the petitioner submits that the allegation
against the petitioner that she was carrying 24.5 litres of liquor is
false as the recovery was not made from her conscious possession.
He relies upon the order dated 01.05.2017 passed in Cr. Misc. No.
20247 of 2017 and order dated 16.05.2017 passed in Cr. Misc. No.
22233 of 2017 whereby other co-accused who have been named
along with the petitioner in the FIR and in fact against whom
recovery of larger quantity of liquor is attributed, have already



been granted bail.

In the facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Special Judge Excise Act, Bhagalpur in G.R.P.S. Case No. 17 of 2017.

(Madhuresh Prasad, J)

Prakash/-

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