

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12295 of 2018

Arising Out of PS. Case No.-328 Year-2017 Thana- RAJAULI District- Nawada

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Soni Devi W/o Late Bal Choudhary , R/o Village- Bell Sariff, Sonar Patti
Road, P.S.- Gondapur, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Man Mohan Kumar

For the Opposite Party/s : Mr. Bal Mukund Prasad Sinha

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 11-04-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending her arrest in a case
registered under Section 30(a) of the Bihar Prohibition and
Excise Act, 2016.

The prosecution case, in short, is that 2400 liters toddy
is recovered.

It has been submitted on behalf of the petitioner that
the petitioner has got no criminal antecedent. There is no
allegation of tampering of witnesses alleged against the
petitioner. The name of the petitioner has transpired as the
vehicle in question from which recovery is made belongs to the
petitioner. The said vehicle is run as taxi by the driver of the
petitioner. Except for this, there is no other substantive



evidence to suggest the implication of the petitioner in this case. It is alleged that 2400 liters toddy is recovered from the vehicle in question run as taxi by the driver of the petitioner. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner had no knowledge regarding the alleged incident. There is no compliance of Section 100 Cr.P.C.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R./complaint case.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J.-II-cum-Special Judge, Nawada in connection with Rajauli P.S. Case No. 328 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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