

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.5821 of 2018

Arising Out of PS.Case No. -118 Year- 2017 Thana -BANGRA District- SAMASTIPUR

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Nirmala Devi, W/o Arvind Singh @ Arvind Kumar, R/o Shadipur, P.S.-
N.H. Bangar, Distt.- Samastipur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Mukesh Kumar No-1, Advocate.

For the Opposite Party : Mr. Ajay Kumar-1, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 27-02-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since
14.12.2017 in a case for the offence registered under Sections 272,
273/34 of the IPC, 30(a) and 38 of the Bihar Prohibition and
Excise Act, 2016.

The prosecution story, in brief, is that total 373.320
liters wine is said to have been recovered.

It has been submitted by learned counsel for the
petitioner that the petitioner has got no criminal antecedent.
Charge sheet/prosecution report has been submitted in the present
case. There is no allegation of tampering with the witnesses
alleged against the petitioner. The petitioner has falsely been



implicated in the present case. It is alleged that total 373.320 liters wine is recovered from Bolero vehicle in question which was parked in front of house of the petitioner. The vehicle in question does not belong to the petitioner. The name of the petitioner has come as she was standing near the vehicle in question. 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, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-VI-cum-Special Judge, Excise Act, Samastipur, in connection with N. H. Bangra P.S. Case No. 118 of 2017.

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(Sudhir Singh, J)

