

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41037 of 2018

Arising Out of PS. Case No.-87 Year-2018 Thana- TAJPUR District- Samastipur

Prema Devi @ Parma Devi, Wife of Late Aklu Rai, Resident of Village-
Mathurapur Digharua, P.S.- Tajpur, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dilip Kumar Roy

For the Opposite Party/s : Mr. Sanjay Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-07-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending her arrest in a case registered under Sections 272, 273 of the I.P.C. and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 27 liters wine is recovered.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent and there is no allegation of tampering of witnesses alleged against the petitioner. The name of the petitioner has transpired as the alleged recovery is made from the banana orchard situated by the side of the house 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 27 liters wine is recovered. 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.

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 Additional Sessions Judge VI-cum-Special Judge, Excise Act, Samastipur in connection with Tajpur P.S. case No.87 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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