

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48346 of 2018

Arising Out of PS. Case No.-186 Year-2018 Thana- BUXAR MUFFSIL District- Buxar

Gita Devi Wife of Late Bharat Choudhary, resident of Village- Barka Nuaon
P.S.- Buxar (M), District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha
For the Opposite Party/s : Smt. Pronati Singh

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

3 10-08-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with Buxar
(M) P.S. Case no. 186 of 2018 registered for the offence
punishable under Section 30(a) of the Bihar Prohibition and
Excise Act, 2016.

6.840 lts. of foreign liquor is said to have been
recovered from possession of the petitioner while 41.400 lts. of
foreign liquor from bamboo clump located near the house of the
petitioner which is said to have been kept there by her.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from conscious
physical possession of the petitioner. She has no concern either



with the seized liquor or with the place of recovery. She has been falsely implicated in this case at the instance of her enemy by planting the recovery from her possession. The bamboo clump is away from her house and is open place and easily accessible to anyone. Though one more case under Excise Act has been lodged against the petitioner, but she is on bail in the said case. She happens to be lady. She has been languishing in custody since 30.06.2018.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged 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 A.D.J.-II-cum-Special Judge, Excise Act, Buxar in connection with Buxar (M) P.S. Case no. 186 of 2018.

(Prakash Chandra Jaiswal, J)

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