

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49646 of 2018

Arising Out of PS. Case No.-146 Year-2017 Thana- NIMCHAKBATHANI District- Gaya

Geeta Devi W/o Sanjay Chaudhary, R/o Vill.- Singha, P.S.- Nimchak Bathani,
District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amod Kumar Singh

For the Opposite Party/s : Mr. Dilip Kumar

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

ORAL ORDER

2 13-08-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with Nimchak Bathani P.S. Case no. 146 of 2017 registered for the offence punishable under Sections 30(a)(g), 38(1)(2), 41(1), 47 of the Bihar Prohibition and Excise Act, 2016.

2 ½ lts. of country made liquor and 3 Kg. raw material are said to have been recovered from the house of the petitioner.

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 with the seized article. She has been falsely implicated in this case at the instance of her enemy. The house of the petitioner is



inhabited by her several other family members and she had no knowledge of keeping of aforesaid article in the said house. There is no compliance of Section 100 Cr.P.C. She was not apprehended on the spot. She happens to be lady. She has no criminal antecedent. She has been languishing in custody since 08.07.2018.

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 Special Judge, Excise, Judge, Gaya in connection with Nimchak Bathani P.S. Case no. 146 of 2017.

(Prakash Chandra Jaiswal, J)

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