

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15844 of 2018

Arising Out of PS.Case No. -240 Year- 2017 Thana -BHANGWANPUR HAT District- SIWAN
=====

Baby Devi @ Baby Kuer

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s
=====

Appearance :

For the Petitioner/s : Mr. Ravi Ranjan

For the Opposite Party/s : Mr. Smt. Veena Kumari Jaiswal
=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-03-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case registered under Sections-272, 273, 308 & 420 of the Indian Penal Code and Sections-41(1) & 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that six liters wine and 40 plastic gallon Ghol of Mahua 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 merely on the basis of suspicion. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that six



liters wine and 40 plastic gallon Ghol of Mahua is recovered by the side of the house of one, Ashok Chaudhary. 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 District & Sessions Judge-II, Siwan in connection with Bhagwanpur Hat P.S. Case No. 240 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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