

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8609 of 2018

Arising Out of PS. Case No.-1001 Year-2017 Thana- GOVERNMENT OFFICIAL COMP.
District- Supaul

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Gita Devi, W/o Shri Shambhu Rajak, Resident of Village- Pipra Khurd,
Ward No. 2, P.S. Bhaptiyahi, District- Supaul.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nafisuzzoha, Advocate
For the Opposite Party/s : Smt. Renu Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 21-02-2018 Heard learned counsel for the petitioner and learned APP
for the State.

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

The prosecution case, in short, is that 21.480 liters wine 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 as the alleged recovery is said to have been made from the abandoned hut 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 21.480 liters wine is recovered from the abandoned hut of the petitioner. 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 complaint case/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 A.D.J. 1st-cum-Spl. Judge, Excise Act, Supaul in connection with Misc. Excise case No.1001 of 2017, P.R. No.81 of 2017, 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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