

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16222 of 2018

Arising Out of PS. Case No.-93 Year-2016 Thana- KATRA District- Muzaffarpur

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Munni Devi, wife of Mukesh Kumar Singh, resident of Village- Dargah Tola
Sonepur Katara Baradih (DHANAM) P.S. Katara District Muzaffarpur
(Owner of Motor Cycle No. BR06AZ6339).

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar

For the Opposite Party/s : Mr. SRI SATYENDRA NARAYAN SINGH

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 22-03-2018 Counsel for the petitioner is permitted to make necessary

correction in paragraph Nos. 1 and 5 of the main application in

course of the day.

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, 274 of the Indian Penal Code and
Sections 47, 51, 52, 53, 54 and 57 of the Bihar Prohibition and
Excise Act, 2016.

The prosecution case, in short, is that 8.250 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 petitioner is the alleged owner of the motorcycle in question. The said motorcycle was given by the petitioner to the co-villager for his personal use. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 8.250 liters wine is recovered from the motorcycle in question. 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./complaint case.

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 3rd Additional Sessions Judge-cum- Special Judge, Excise, Muzaffarpur in connection with Katra P.S. Case No. 93/2016, subject to the conditions as laid down under Section 438(2) of the Code of



Criminal Procedure.

(Sudhir Singh, J)

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