

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16842 of 2018

Arising Out of PS. Case No.-117 Year-2017 Thana- NOKHA District- Rohtas

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Bimla Devi W/o Ishwar Chaudhary @ Laljee Chaudhary @ Laljee Kumar
R/o Village - Yadu Tola, P.S. - Nokha, District - Rohtas (Sasaram), Bihar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashutosh Tripathy

For the Opposite Party/s : Mr. HUMAYOU AHMAD KHAN

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 23-03-2018 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, 273 and 120(B) of the Indian Penal Code and Section 30(A) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 9.6 liters wine is recovered as per the seizure list.

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 on the basis of disclosure made by the co-accused namely Kaushal Kishore. On the disclosure made by said co-accused, a search was made in the joint house of the petitioner from where the alleged



recovery is made. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 9.6 liters wine is recovered from the joint house of the petitioner as per the seizure list. 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 Additional Sessions Judge-II-cum- Special Court (Judge), Excise), Rohtas at Sasaram in connection with Nokha P.S. Case No. 117/2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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