

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.22476 of 2018

Arising Out of PS.Case No. -17 Year- 2018 Thana -BITHAN BAZAR District- SAMASTIPUR

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Renu Devi, Daughter of Hari Yadav, resident of village + P.O. + P.S.
Bithan, District Samastipur.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Bhubneshwar Prasad, Advocate.

For the Opposite Party : Mr. Sunil Kumar Pandey, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 18-04-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending her arrest in a case for
the offence registered under Sections 272 and 273 of Indian Penal
Code, 30(a) and 30(d) of the Bihar Prohibition and Excise Act,
2016.

The prosecution story, in brief, is that total 195 Kg.
Jawa, 2 Kg. Urea Khad and ½ Kg. Soda are said to have been
recovered.

It has been submitted by learned counsel for the
petitioner that the petitioner has got no criminal antecedent. There
is no allegation of tampering with the witnesses alleged against the
petitioner. The petitioner has falsely been implicated in the present
case. It is alleged that total 195 Kg. Jawa, 2 Kg. Urea Khad and ½
Kg. Soda are recovered from 24 different houses. As far as house



of the petitioner is concerned, no liquor is said to have been recovered. The name of the petitioner has come as he is also being suspected to be involved in illegal liquor trade when seizure was made. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. 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 or 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 the learned 3rd Additional Sessions Judge-cum-Special Judge, Excise Act, Samastipur, in connection with Bithan P.S. Case No. 17 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)