

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11854 of 2018

Arising Out of PS.Case No. -18 Year- 2017 Thana -FATEHPUR District- GAYA

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Pramila Devi @ Urmila Devi, Wife of Karu Manjhi, Resident of Village-
Goieniya, P.S.- Fatehpur, District- Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Sinha

For the Opposite Party/s : Mr. Gauri Shankar Gupta

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 27-02-2018 Heard the learned counsel for the petitioner and the

learned counsel for the State.

The petitioner seeks anticipatory bail in connection
with Fatehpur PS case no. 18 of 2017 registered for the offences
punishable under Sections 272, 273/34 of the Indian Penal Code
and 30(a) of the Bihar Prohibition and Excise Act.

The allegation is regarding recovery of 15 liters of
illicit liquor from the house which is said to be in the joint
possession of the petitioner and his family members.

The learned counsel for the petitioner submits that no
recovery has been made from the conscious possession of the
petitioner and the house from which the recovery is said to have
been made, is in the joint possession of the petitioner and his



family members. It is further submitted that the provision of Section 100 Cr. P.C. has not been complied with, hence the seizure itself is doubtful. It is further submitted that the petitioner is having a fair antecedent.

Considering the nature of accusation levelled against the petitioner herein as also the fact that prima facie no case is made out under the provisions of the Excise Act, I deem it fit and proper to admit the petitioner herein to the privilege of anticipatory bail.

Accordingly, in the event of arrest or surrender before the concerned court within a period of six weeks from the date of receipt/production of a copy of the present order, the petitioner above named is directed to be released on anticipatory bail on furnishing bonds of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Act, Gaya in connection with Fatehpur PS case no. 18 of 2017, subject to the conditions laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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