

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11861 of 2018

Arising Out of PS.Case No. -47 Year- 2017 Thana -CHUTIA SAHAYAK District- SASARAM
(ROHTAS)

=====

Prabha Devi, wife of Mahendra Baitha, Resident of Village- Tilokhar, P.S.
Chutiya, District Rohtas.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Kamla Kant Pandey

For the Opposite Party/s : Mr. Smt. Sucheta Yadav

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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 Chutiya PS case no. 47 of 2017 registered for the offences
punishable under Sections 30(A)/34(A) of the Bihar Prohibition
and Excise Act.

The allegation is regarding recovery of 4 liters of illicit
liquor from a cow-shed.

The learned counsel for the petitioner submits that no
recovery has been made from the conscious possession of the
petitioner. It is further submitted that the said cow-shed does not
belong to the petitioner and the petitioner is having a fair
antecedent. It is further submitted that the husband of the



petitioner, who is also made an accused in the present case, has been granted anticipatory bail.

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 Additional Sessions Judge II -cum- Special Judge, Excise Act, Rohtas at Sasaram in connection with Chutiya PS case no. 47 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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