

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24402 of 2018

Arising Out of PS.Case No. -111 Year- 2018 Thana -SHERGHATI District- GAYA

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1. Mohni Devi, Wife of Late Suresh Manjhi, Resident of Village- Padri,
P.S.- Dobhi (Sherghati), District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satya Veer

For the Opposite Party/s : Mr. Sri Ashok Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 25-04-2018 Heard the learned counsel for the petitioner and the learned
counsel for the State.

The petitioner seeks anticipatory bail in connection with Sherghati (Dobhi) P.S. Case No. 111/2018, dt. 28.02.2018, registered for the offences punishable under Sections 272,273/34 of I.P.C. and Under Section 30(a) of the Bihar Prohibition and Excise Act.

The allegation is regarding recovery of 15 liters of illicit Mahua liquor from the premises of the petitioner who is joint owner of the said premises.

The learned counsel for the petitioner had submitted that the petitioner is a widow and is not knowing about what is going on in the said premises. It is further submitted that no recovery has been



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

Considering the nature of accusation leveled 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 preset 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), Gaya in connection with Sherghati (Dobhi) P.S. Case No.111 of 2018, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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