

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.48453 of 2018

Arising Out of PS.Case No. -86 Year- 2017 Thana -RAGHUNATHPUR District- SIWAN

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Gayatri Kumari W/o Shri Ashwani Kumar Rai, R/o Vill.- Newari, P.S.-
Raghunathpur, District- Siwan , At present Posted and working as a
Incharge Headmistress of Govt. Middle School Newari, Anchal-
Raghunathpur, District- Siwan.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Umesh Kumar Mishra

For the Opposite Party : Mr. Ahmad Ali

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 08-08-2018 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 & 308 of the Indian Penal
Code and Sections-30 & 38 of the Bihar Prohibition and Excise
Act, 2016.

The prosecution case, in short, is that 313.920 liters wine
is recovered.

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 in course of investigation as the
petitioner is Headmistress of the school and the recovery is alleged
to have been made from toilet of the school in question. Except for



this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 313.920 liters wine is recovered from the latrine of the school in question. 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 being Headmistress of the school, is sister of named accused Rakesh Singh.

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 Chief Judicial Magistrate, Siwan in connection with Raghunathpur P.S. Case No. 86 of 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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