

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48890 of 2018

Arising Out of PS. Case No.-99 Year-2018 Thana- PIYAR District- Muzaffarpur

Priyanka Kumari @ Priyanka Tiwary @ Priyanka Devi, wife of Kundan Tiwary, r/o- village Malpur Kothia, P.s.- Patepur, District- Vaishali at Hazipur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha

For the Opposite Party/s : Mr. Sri Rajendra Nath Jha

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, 120B 414 of the Indian Penal Code and Sections 30A, 35A, 38 and 41 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 240.5 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 on the basis of disclosure made by the co-accuseds namely Kuldeep, Birendra Singh, Surendra Dillan and Sandeep Paswan. Except for this, there is no other substantive evidence to suggest the



implication of the petitioner in this case. It is alleged that 240.5 liters wine is recovered from two different places, one from the truck and the other from the open field situated by the side of the house of the petitioner. The truck in question does not belong to the petitioner. 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/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 Special Judge, Excise, Muzaffarpur in connection with Piar P.S. Case No. 99/18, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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