

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45762 of 2018

Arising Out of PS. Case No.-170 Year-2018 Thana- PATNA GRP CASE District- Patna

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Pramila Devi, Wife of late Gulteni Manjhi Resident of Village- Gosaymath
Nawada, P.S. Phulwari Sharif, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Naresh Chandra Verma

For the Opposite Party/s : Mr. Sri Mustaque Alam

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 05-09-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case instituted for the offences under Sections 3, 5, 17 and 18 of Bihar Mahua Flower Act, 2016 and Section 30(d) of the Bihar Prohibition and Excise Act, 2016.

Prosecution case, in short, is that 466 kg mahua flower are recovered.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 2.6.2018 and has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner is a lady. She has been made accused due to mistake of fact. It is alleged that 466 kg mahua flower is recovered. The mahua flower does



not come within the definition of intoxicant until it is fermented.

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, it is directed that the petitioner, above named, be released on 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 Act, Patna in connection with Patna Junction (Rajendra Nagar T.) Rail P.S. Case No. 170 of 2018 (Special Case No. 5143 of 2018).

(Sudhir Singh, J)

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