

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15124 of 2018

Arising Out of PS. Case No.-272 Year-2017 Thana- BARGANIA District- Sitamarhi

Shanti Devi, w/o- Ashok Kumar of village Mai Asthan Bairgania, P.s.-
Bairgania, District- Sitamarhi.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Kumar

For the Opposite Party/s : Mr. RABINDRA KUMAR

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 15-03-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending her arrest in a case registered under Sections 49 and 52 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that petitioner has broken the seal of the house which was sealed.

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 petitioner is a lady. It is alleged that the house of the petitioner was sealed in connection with an offence under the Bihar Prohibition and Excise Act, 2016 committed by the husband of the petitioner. The petitioner is alleged to have



broken the seal of the seized house. Neither there is any substantive evidence to suggest that the petitioner had broken the seal of the house nor there is any eye witness to the alleged occurrence. Merely suspicion has been raised against the petitioner for committing such an act.

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 A.D.J.-II- cum- Special Judge, Excise Act, Sitamarhi in connection with Bairgania P.S. Case No. 272 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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