

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4211 of 2018

Arising Out of PS.Case No. -140 Year- 2017 Thana -PANAPUR District- SARAN

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Terasi Devi Wife of Sonelal Nut Resident of village- Bagdihan, Police
Station- panapur, District- Saran (Chapra)

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Sachida Nand Rai

For the Opposite Party/s : Mr. Sanjay Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 25-01-2018 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Panapur P.S. Case No. 140 of 2017 registered for the offence punishable under Sections 272 and 273 of the Indian Penal Code and Sections 30, 30(A) and 38 of the Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 80.52 liters of illicit English wine from a place situated outside the house of the petitioner.

The learned counsel for the petitioner submits that neither any recovery has been made from the house of the petitioner nor any recovery has been made from his conscious



possession, hence the entire allegation is false and concocted. The petitioner is said to be having a clean antecedent. It is submitted that no case appears to have been made out under the provisions of the Excise Act. It is further submitted that the co-accused who is husband of the petitioner herein has already been granted anticipatory bail by this Court.

Having regard to the facts and circumstances of the case, more particularly 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, in the event of her arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VI, Chapra in connection with Panapur P.S. Case No. 140 of 2017 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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