

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 36729 of 2018

Arising Out of PS. Case No.-134 Year-2017 Thana- Sikty District- Araria

Pano Devi W/o Ravindra Sada, R/o Vill.- Kauwali Tola, Bokantan, P.S.- Sikty,
District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Amarnath Jha
		Mr. Gopal Kumar Jha
For the Opposite Party/s	:	Mr. Md. Sufiyan

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 29-06-2018 Heard Sri Amarnath Jha, learned counsel assisted by

Sri Gopal Kumar Jha, learned counsel for the petitioner and Mr.

Md. Sufiyan, learned Addl. Public Prosecutor.

The sole petitioner, who is a lady and having clean antecedent, which fact has been stated in paragraph – 3 of the petition, apprehending her arrest in Sikty P.S. Case No. 134 of 2017 (Supplementary Spl. Case No. 1656 of 2017) registered for offence under Sections 272, 273, 290 of the Indian Penal Code and Sections 30(A), 37(A)(C) of Bihar Prohibition and Excise Act, 2016, has prayed for grant of bail in the event of her arrest or surrender.

Learned counsel for the petitioner, at the outset, has drawn my attention to seizure list at page 15, which is enclosure to the F.I.R. to show that in the seizure list, it has not been



indicated as to what material has been recovered from the house of the petitioner. However, in the F.I.R., the informant, who is police officer, has stated as if in search of three houses, from the house of petitioner, about 12 litres of Nepali wine was shown to be recovered. It has been argued that in this case, there was complete violation of provision contained in Section 100 of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.') and petitioner has falsely been implicated.

Be that as it may, considering the fact that petitioner is having clean antecedent as well as the fact that in the seizure list, nothing has been indicated about recovery from the house of the petitioner, in the event of her arrest or surrender within a period of six weeks from today, let the petitioner namely Pano Devi be enlarged on bail on furnishing bail-bond of **Rs. 10,000/-** (ten thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge, Araria in connection with Sikty P.S. Case No. 134 of 2017, subject to condition as contemplated under Section 438(2) of the Cr.P.C.

(Rakesh Kumar, J.)

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