

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42947 of 2018

Arising Out of PS. Case No.-17 Year-2018 Thana- BITHAN BAZAR District- Samastipur

Solochna Devi @ Sulochana Devi W/o Bholu Mukhiya, R/o Vill.- Bithan
Sahni Tola, P.S.- Bithan, District- Samstipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kundan Kumar

For the Opposite Party/s : Mr. Surendra Kumar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-07-2018 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 of the I.P.C. and Sections 30(a), 30(d) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that the informant received information that in Bithan Sahni Tola the accused persons including the petitioner are making illegal local wine. On this information, the informant along with other police officials raided the P.O. and the house of the petitioner and seeing the police party the petitioner and her family members after throwing illegal wine escaped from there.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent and there is no allegation of tampering of witnesses alleged against the petitioner. The name of the petitioner has transpired as the destroyed jawa is alleged to have



been found in the joint house of the petitioner. There is no recovery or seizure of jawa from the joint house of the petitioner. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. 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.

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 6th Additional Sessions Judge, Samastipur-cum-Special Judge, Excise Act, Samastipur in connection with Bithan P.S. case No.17 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

U		T	
---	--	---	--

