IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35868 of 2018

Arising Out of PS.Case No. -92 Year- 2018 Thana -SONBERSA District- SITAMARHI

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Nayeema Khatoon, W/o Md. Karim, resident of Village- Bhutahi, P.S. Sonbarsa, District- Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:
For the Petitioner/s : Mr. Alok Kumar Alok
For the Opposite Party/s : Mr. Satyadev Prasad Singh Yadav

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 29-06-2018 Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks bail in a case registered for the offence punishable under Sections 272 and 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

8.820 litres of Nepali saufi wine is said to have been recovered from the chicken shop of Ekramul Hussain while 255.06 litres of country made liquor was recovered from the house of the said accused and petitioner who happens to be mother of the said accused was apprehended from the aforesaid shop.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from the

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conscious physical possession of the petitioner. She has no concern with the seized liquor. She happens to be mother of Ekramul Hussain and she was simply sitting in the shop as reliever of his son who had gone to his house for dining. She had no knowledge of keeping of the aforesaid liquor in the shop. Petitioner happens to be lady. She has no criminal antecedent. She has been languishing in custody since 13.05.2018.

Considering the facts aforesaid, the above named petitioner is directed to 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 the learned ADJ-II cum Special Judge, Excise Act, Sitamarhi in connection with Sonbarsa P.S. Case No. 92 of 2018.

(Prakash Chandra Jaiswal, J)

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