

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 36803 of 2018

Arising Out of PS. Case No.-186 Year-2017 Thana- Janta Bazar District- Saran

Sonawali Kunwar wife of Late Pramod Pandey, resident of Village- Banpur
Latif, P.S. Janta Bazar, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh

For the Opposite Party/s : Mr. Rajballabh Singh

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 29-06-2018 Heard Sri Sanjay Kumar Singh, learned counsel for
the petitioner and Sri Rajballabh Singh, learned Addl. Public
Prosecutor.

The sole petitioner, who is a widow lady, having clean antecedent, which fact has been stated in paragraph – 3 of the petition, apprehending her arrest in Janta Bazar P.S. Case No. 186 of 2017 registered for offence under Sections 272, 273 of the Indian Penal Code and Section 30(a) of Bihar Prohibition and Excise Act, 2016, has prayed for grant of bail in the event of her arrest or surrender.

It was submitted by learned counsel for the petitioner that in an illegal manner, a search was conducted in the house as well as P.D.S. shop of the petitioner and at that very time, petitioner's son was apprehended on an allegation of recovery of huge quantity of Indian make foreign liquor. Learned counsel for the petitioner has drawn my attention to seizure list at page -16, which is part of the F.I.R., to show that the seizure list is



itself in complete violation of Section 100 of the Code of Criminal Procedure, 1973 (for short “Cr.P.C.”). It has been argued that ofcourse, it has been indicated that from the house and shop, recovery was made, but in the seizure list, it has not been indicated as to what was the material recovered from her house and what was the material recovered from her shop. In illegal manner, the seizure list was prepared.

Be that as it may, considering the fact that son of the petitioner has already been arrested, petitioner is a lady as well as in view of violation of Section 100 of the Cr.P.C. the Court is of the opinion that it is a fit case for extending the privilege of anticipatory bail.

In the event of her arrest or surrender within a period of six weeks from today, let the petitioner namely Sonawali Kunwar 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 6th Addl. Sessions Judge, Saran at Chapra in connection with Janta Bazar P.S. Case No. 186 of 2017, subject to condition as contemplated under Section 438(2) of the Cr.P.C.

(Rakesh Kumar, J.)

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