

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.67138 of 2018

Arising Out of PS.Case No. -176 Year- 2017 Thana -KEWATI District- DARBHANGA

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1. Mosmat Mamta Devi @ Gosadihwali, W/o Late Rambabu Paswan,
Resident of Village- Pitho, P.S.- Keoti, District- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Kumar

For the Opposite Party/s : Mr. Humayou Ahmad Khan

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 05-11-2018 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, 353, 332, 427 of the Indian Penal Code and Sections-30(a)(and ¾ of Dowry Prohibition Act), 45 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 3.25 litres wine is recovered.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The name of the petitioner has transpired on the basis of disclosure made by the local Chowkidar. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that



3.25 liters wine is recovered from mango orchard. The mango orchard in question does not belong to the petitioner. 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 4th d Additional Sessions Judge-cum-Special Judge, Darbhanga in connection with G.O. Case No. 1681 of 2017 arising out of Keoti P.S. Case No. 176 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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