

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14188 of 2018

Arising Out of PS.Case No. -37 Year- 2017 Thana -HAYAGHAT District- DARBHANGA

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1. Nirmala Devi, W/o Kailash Roy, resident of Village- Ucchoulli, P.S. Hayaghat, District- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ghanshyam Choudhary

For the Opposite Party/s : Mr. Smt. Rita Verma

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 14-03-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending her arrest in a case registered under Sections- Section-30(a)/48/41 of Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 144.5 liters 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 come as the recovery of wine was made from joint house of the petitioner in which, other members of the family also reside. Except for this, there is no other substantive



evidence to suggest the implication of the petitioner in this case. It is alleged that 144.5 liters wine is recovered from joint house of 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 Additional Sessions Judge-IV-cum-Special Judge, Darbhanga in connection with Hayaghat P.S. Case No. 37 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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