

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1568 of 2018

Arising Out of PS.Case No. -218 Year- 2017 Thana -NARHAT District- NAWADA

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1. Champa Devi Wife of Sadhu Sharan Singh Resident of Village-Narhat
Police Narhat, District-Nawada

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Deepak Kumar

For the Opposite Party/s : Mr. Bharat Lal

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-01-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending her arrest in a case
instituted under Section 30(a) of Bihar Prohibition and Excise
Act, 2016.

The prosecution story, in brief, is that two gallons are
said to have been recovered from the Tempo in question.

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 on the basis of seized tempo in
question. The petitioner is said to be the owner of tempo in
question. The tempo was being run by the driver of the petitioner.



Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that two empty gallons are seized from a tempo in question on 12.11.2017. The F.I.R. has been instituted on 02.12.2017. The delay has not been explained by the prosecution. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner had no knowledge regarding the alleged incident.

On behalf of the state, it has been submitted that the petitioner is not named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender before the learned court below within a period of six weeks from today in connection with Narhat P.S. Case No.218/2017, on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Nawada, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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