

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.4442 of 2018

Arising Out of PS.Case No. -273 Year- 2017 Thana -RAMNAGAR District-
WESTCHAMPARAN(BETTIAH)

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Ramawati Devi W/o Late Veeral Mahto, R/o Village- Dhargad Toli, P.S.-
Ramnagar, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Bimlesh Kumar Pandey

For the Opposite Party/s : Mr. Ram Naresh Ray

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 25-01-2018 Heard the learned counsel for the petitioner and the

learned A.P.P. for the State.

This is an application for grant of anticipatory bail in
connection with Ramnagar P.S. Case No. 273 of 2017 registered
for the offence punishable under Sections 30(a) and 37(b) of the
Bihar Prohibition & Excise Act.

The allegation is regarding recovery of 3 liters of illicit
country made liquor from the house of the petitioner.

The learned counsel for the petitioner submits that it has
been falsely alleged that the house from where recovery has been
made, belongs to the petitioner whereas the fact is that the said
house does not belong to the petitioner and no recovery has been
made from the house of the petitioner or from the conscious
possession of the petitioner as has been stated in paragraph- no. 6



of the bail petition. It is further submitted that no case appears to have been made out under the provisions of the Excise Act.

Having regard to the facts and circumstances of the case, more particularly the fact that prima facie no case is made out under the provisions of the Excise Act, I deem it fit and proper to admit the petitioner herein to the privilege of anticipatory bail, in the event of her arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Bettiah, West Champaran in connection with Ramnagar P.S. Case No. 273 of 2017 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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