

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.17650 of 2018**

Arising Out of PS.Case No. -433 Year- 2017 Thana -BIRAUL District- DARBHANGA

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1. Indu Devi @ Indu Debi, W/o Sanjeet Sahni, Residence of Vill- Supaul  
Hat Gachhi, P.S.- Biraul, Distt- Darbhanga.

.... .... Petitioner/s

Versus

1. The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Kedar Jha

For the Opposite Party/s : Mr. Sri Mukeshwar Dayal

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      30-03-2018                      Heard learned counsel for the petitioner and learned APP  
for the State.

The petitioner is apprehending her arrest in a case registered under Sections-272, 273/34 of the Indian Penal Code and Sections-30(a)(g)/38(i)/41(i) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 26.685 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 transpired on the basis of disclosure made by the co-accused namely, Sanjeet Sahani. Except for this, there is no



other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 36.685 liters wine is recovered from the joint house of the petitioner where the other family members also reside. 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 4<sup>th</sup> Additional Sessions-cum-Special Judge, Darbhanga in connection with G.O. Case No. 1626 of 2017 arising out of Biraul P.S. Case No. 433 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Sudhir Singh, J)**

A.K.V./-

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