

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10181 of 2018

Arising Out of PS. Case No.-889 Year-2017 Thana- JAHANABAD District- Jehanabad

Sita Janki Devi, Wife of Late Ratan Manjhi, Residents of Village- Babhana,
P.S. and District- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Kumar

For the Opposite Party/s : Mr. SRI AMIT KUMAR RAKESH

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 27-02-2018 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 Jehanabad P.S. Case No. 889 of 2017 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 3 litres of Mahua wine from the house of the petitioner herein.

The learned counsel for the petitioner submits that the fact is that the petitioner was not present at the alleged place of occurrence, hence the alleged recovery cannot be said to be made from the house of the petitioner herein and the factum of plantation of the said liquor cannot be ruled out. It is further submitted that the petitioner is having a clean antecedent.



Considering the nature of accusation and 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 Additional Sessions Judge-II, Jehanabad in connection with Jehanabad P.S. Case No. 889 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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