

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.54152 of 2018**

Arising Out of PS. Case No.-281 Year-2018 Thana- KOTWALI District- Patna

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Smt. Suman Ray @ Suman Ray W/o Rajeev Ray @ Chhotu , R/o Mohalla-  
Adalat Ganj, Jhoparpatti, P.S.- Kotwali, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Uday Kumar  
For the Opposite Party/s : Smt. Sahin Begam

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

3      25-10-2018                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner is apprehending her arrest in a case registered under Sections 30(a), 38(1)(2), 44(1), 56(D)(E) and 37(b) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 14.250 liters wine is recovered.

It has been submitted on behalf of the petitioner that there is no allegation of tampering of witnesses alleged against the petitioner. The name of the petitioner has transpired as the alleged recovery is made from the car and the joint house of the petitioner where the other family members also reside. The said car is run as public carrier 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 14.250 liters wine is recovered from the car in question and 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./complaint case.

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 Special Judge, Excise, Patna in connection with Kotwali P.S. Case No. 281 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Sudhir Singh, J)**

Pankaj/-

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