

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.4490 of 2018

Arising Out of PS.Case No. -350 Year- 2017 Thana -RAJAULI District- NAWADA

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Kajri, Wife of Late Lakha Chaudhary, resident of Village- Gulzar Bigha,
Police Station- Rajauli in the district of Nawada.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Navin Sharma

For the Opposite Party/s : Mr. Ram Bilash Roy Raman

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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 Rajauli P.S. Case No. 350 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 about 20 liters of
illicit liquor from the back side of the house of the petitioner
herein.

The learned counsel for the petitioner submits that the
back side of the house of the petitioner is abandoned and she lives
in the front portion of the house. It is submitted that neither any
recovery has been made from the conscious possession of the
petitioner herein nor anybody was present in the said house at the



time of raid by the Police, hence the false implication of the petitioner cannot be ruled out. It is further submitted that Section 100 of the Cr.P.C. has not been complied with.

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 Additional Sessions Judge-II-cum-Special Judge, Nawada in connection with Excise Case No. 3837 of 2017 (arising out of Rajauli P.S. Case No. 350 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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