

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11250 of 2019**

Arising Out of PS. Case No.-390 Year-2018 Thana- MADHUBANI TOWN District-
Madhubani

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Pramila Devi, Female, Age-52 Years, Wife of Shibu Mahto, Resident of
Village-Dargah Chauk, Ward No.- 25, P.S.- Madhubani, District – Madhubani.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Ratanakar Jha, Advocate.

For the Opposite Party : Mrs.Veena Rani Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-02-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending her arrest in a case
for the offence registered under Sections 272, 273/34 of the IPC
and 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 13.02 liters
wine is said to have been recovered.

It has been submitted by learned counsel for the
petitioner that the petitioner has got no criminal antecedent.
There is no allegation of tampering with the witnesses alleged
against the petitioner. The petitioner has falsely been implicated
in the present case. It is alleged that total 13.02 liters wine is



recovered. Out of which, 4.32 liters wine is alleged to have been recovered from the back of the Tea Stall of the son of the petitioner. The name of the petitioner has come in the present case on the basis of alleged recovery made from the back of the Tea Stall belongs to son of the petitioner. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. 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 or 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 the learned Additional District & Sessions Judge-IIInd & Special Judge of Excise Act, Madhubani, in connection with Town P.S. Case No. 390 of 2018 (arising out of G.R. No. 1710 of 2018), subject to the conditions as laid down under Section 438(2) of the Code of Criminal



Procedure.

(Sudhir Singh, J)

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