

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12026 of 2019

Arising Out of PS. Case No.-151 Year-2018 Thana- SASARAM MUFFSIL District- Rohtas

Madodari Nut @ Pinku Devi, aged about 30 years, Gender-Female, Wife of
Amresh Nut @ Langra, Resident of Village- Bishrampur Tola, P.S- Sasaram
(Mufassil), District- Rohtas at Sasaram

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Babu Nandan Prasad

For the Opposite Party/s : Mr. Shyam Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 27-02-2019 Heard learned counsel for the petitioner and
learned counsel for the State.

In this case, the petitioner is seeking anticipatory
bail in connection with Sasaram (Mufassil) P.S. Case No. 151 of
2018, registered for the offence under Section 30(a) of the Bihar
Prohibition and Excise Act, 2016.

On the basis of a secret information, the Police has
raided the house of one Pyaju Nut, from there 13.5 liters of
Mahua liquor has been recovered.

Learned counsel for the petitioner submits that
Pyaju Nut has already died on 21.11.2014, but has been made an
accused in the present case.

It appears that there is serious lapses on the part of



the Police as without proper verification they have made Pyuju Nut as an accused when he has already died.

As the petitioner is a lady having no criminal antecedent, let the above-named petitioner, be released on anticipatory bail in the event of her arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the Additional District and Sessions Judge-II-cum- Special Judge, Excise, Rohtas at Sasaram, in connection with Sasaram (Mufassil) P.S. Case No. 151 of 2018, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

However, at the time of accepting the bail bonds, the Court below would verify and assure itself regarding the criminal antecedent of the petitioner. If he is having clean antecedent, then his bail bond would be accepted. If he is found to be involved in any other case before filing of this application i.e. 25.02.2019, then his bail bond would not be accepted.

(Shivaji Pandey, J)

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