

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17056 of 2019

Arising Out of PS. Case No.-68 Year-2019 Thana- KHAJEKALA District- Patna

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Sonam Devi @ Bueya Devi @ Suman Devi Wife of Jaykant Ray Resident of
Village - Mangal Talab, P.S.- Chowk, District - Patna

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Jay Ram Prasad

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 28-03-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending her arrest in a case registered under Section 414 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 80 liters wine is recovered.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The name of the petitioner has transpired on the basis of disclosure made by the co-accused Rajnish Kumar. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 80



liters wine is recovered by side of the road. 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.

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 Special Case No. 1335 of 2019 arising out of Khajekalan P.S. Case No. 68 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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