

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20866 of 2019

Arising Out of PS. Case No.-123 Year-2017 Thana- MADHUBAN District- East Champaran

BUDHIYA DEVI Wife of Late Lalbabu Chaudhari, Resident of Village-
Bajitpur, P.S-Madhuban, District-East Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anuj Kumar

For the Opposite Party/s : Mr.Ram Bachan Singh

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 04-04-2019 Heard learned counsel for the petitioner and the
State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 272, 273 and 188 of the I.P.C. and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

It is alleged that 280 litres of toddy has been recovered from the hutment of the petitioner.

It is submitted by learned counsel for the petitioner that neither the petitioner was arrested from the spot nor anything has been recovered from her conscious physical possession. Though a statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, but the petitioner is accused in one other



case apart from the present case.

Learned APP for the State submits that the recovery has been made from the hutment of the petitioner.

Considering the said recovery being made from the hutment of the petitioner being a lady, it is a case for consideration of prayer for regular bail.

Let the learned Court below consider the prayer for regular bail, if the petitioner surrenders within a period of six weeks in connection with Madhuban P.S. Case No. 123 of 2017, pending before the learned Special Judge, Excise, Motihari.

With the above observation, this application is, accordingly, disposed of.

(Dinesh Kumar Singh, J)

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