

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25619 of 2019

Arising Out of PS. Case No.-212 Year-2018 Thana- BATHNAHA District- Sitamarhi

SHIV KALI DEVI @ SHIV KAALI DEVI Wife of Late Mahanth Ray
Resident of Village - Ramnagara, Ward no. 15, P.S.- Riga, Distt - Sitamarhi.

... .. Petitioner/s

Versus

THE STATE OF BIHAR..... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok
For the Opposite Party/s : Mr.Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

3 19-07-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with Bathnaha P.S. Case No. 212 of 2018, registered for the offences punishable under Sections 272, 273 of the Indian Penal Code and Section 30 (a) of Bihar Prohibition and Excise Act, 2016.

Seven and half liters Nepali liquor is said to have been recovered from the motorcycle of the petitioner parked on the road and two persons managed to escape leaving the aforesaid motorcycle.

It is submitted by the learned counsel for the petitioner that no incriminating article has been recovered from the conscious physical possession of the petitioner. She has no concern with the aforesaid liquor. Though petitioner happens to



be the owner of the aforesaid motorcycle but she had given the aforesaid motorcycle to his neighbour for plying the same and she had no knowledge about transporting of the said liquor in the motorcycle by him. No offence under Excise Act is made out against the petitioner. She has no criminal antecedent. She happens to be lady.

Learned Spl. P.P. for the State opposed the prayer for bail.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail in the event of his arrest or surrender before the learned Court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.D.J II-cum-Special Judge Excise Act, Sitamarhi in connection with Bathnaha P.S. Case No. 212 of 2018, subject to condition as laid down under Section 438 (2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

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