

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31567 of 2019

Arising Out of PS. Case No.-71 Year-2019 Thana- KHUSRUPUR District- Patna

SARBATIYA DEVI, Female, aged about 50 years, Wife of Hulas Das,
Resident of village- Kurtha, P.S. Khusropur, District- Patna.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Sandip Kumar Gautam, Advocate.
For the Opposite Party : Mrs.Sharda Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-05-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since
12.03.2019 in a case for the offence registered under Sections
37(c) and 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 28.200
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.
Charge sheet/prosecution report has been submitted in the
present case. 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
28.200 liters wine is recovered from joint house of the



petitioner. The name of the petitioner has come in the present case on the basis of alleged recovery made from joint house of the petitioner where other family members also reside. 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, be released on 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 Special Judge, Excise Act, Patna, in connection with Special Case No. 2644 of 2019, Khusrupur P.S. Case No. 71 of 2019.

(Sudhir Singh, J)

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