

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78460 of 2018

Arising Out of PS. Case No.-118 Year-2018 Thana- BANGAWON District- Saharsa

Rekha Devi wife of Sri Chandan Chaudhary residents of Village Bariyahi
Safabad, PS Bangaon & District Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Diwakar Prasad Singh
For the Opposite Party/s : Mr. Prem Kumar Jha

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 09-01-2019 This is an application for grant of anticipatory bail in connection with Bangaon P.S. Case No. 118 of 2018 corresponding to Special (Excise) Case No. 566 of 2018, disclosing offences under Sections 30(a), 38(1), 41(1) of the Bihar Prohibition and Excise Act, 2016.

Allegation is of recovery of 715 liters liquor from the house of the petitioner and further recovery of 1802.16 liters liquor from a vehicle kept at the place of occurrence.

Submission of learned counsel for the petitioner is that the seizure list itself shows that the house belongs to her husband and she has abandoned the house and not residing there. Further, the petitioner has no criminal antecedent.

Heard learned A.P.P. also.

Having heard both sides, considering the above



submission and also considering the fact that the petitioner is a lady, this application is allowed. Let the petitioner, above named, in the event of her arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge (Excise Act) cum Additional Sessions Judge II at Saharsa, in connection with Bangaon P.S. Case No. 118 of 2018 corresponding to Special (Excise) Case No. 566 of 2018, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

Amjad/-

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