

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 7969 of 2019

Arising Out of PS. Case No.-327 Year-2018 Thana- Mairwan District- Siwan

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Kanti Devi, W/O- Ramesh Pasi @ Ramesh Chaudhary, resident of Village-
Bishunpura Bazar, P.S. - Mairwa, District – Siwan.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Prabhakar Singh
For the Opposite Party/s : Mr. Anil Kumar

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3. 05-04-2019 Heard Sri Prabhakar Singh, learned counsel for the
petitioner and learned Addl. Public Prosecutor.

The sole petitioner, apprehending her arrest in Mairwa
P.S. Case No. 327 of 2018 registered for the offence under
Sections 272, 273, 308, 34 of the Indian Penal Code and
Sections 30(a), 30(d), 38(ii) of the Bihar Prohibition & Excise
Act, 2016, has prayed for grant of bail in the event of her arrest
or surrender.

At the very outset, learned counsel for the petitioner
has drawn my attention to statement made in paragraph – 3 of
the petition to show that petitioner is having clean antecedent. It
was submitted by learned counsel for the petitioner, by way of
referring to seizure list, that seizure list was not prepared in
accordance with law and it was shown, as if, from number of



accused persons, recovery was made and one seizure list was prepared. So far as petitioner is concerned, it has been alleged that from the house of petitioner, there was recovery of 2 litre *mahua*. It has been reiterated that without recovery of anything, the petitioner has falsely been made accused.

Considering the nature of accusation as well as clean antecedent of the petitioner, the Court is of the opinion that it is a fit case for passing favourable order.

Accordingly, in the event of arrest or surrender within a period of six weeks from today, let the petitioner namely Kanti Devi be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Excise, Siwan in connection with Mairwa P.S. Case No. 327 of 2018, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

(Rakesh Kumar, J.)

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