

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60577 of 2019

Arising Out of PS. Case No.-102 Year-2019 Thana- PAROO District- Muzaffarpur

Savitri Devi, (Female-38 years), Wife of Kabindra Singh, Resident of village Singahi, P.S. Paroo, District Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhavesh Kumar

For the Opposite Party/s : Mr.Md. Shakir Ahmad

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 16-10-2019 Heard both sides.

The petitioner apprehends her arrest in Paroo P.S. Case No.102 of 2019, registered under Sections 30 and 30(a) of the Bihar Prohibition and Excise Act.

The petitioner and her husband are said to have indulged in illegal trade of illicit liquor and on such a raid was conducted. Recovery is said to have been made from a bamboo bush situated behind the house of the petitioner.

Learned counsel for the petitioner submits that no recovery was made from the conscious possession of the petitioner. The bamboo bush is situated behind the house of the petitioner and it is an open place. Anybody can keep anything in the bamboo bush. On same facts, Kabindar Singh, the husband of the petitioner has already been granted anticipatory bail by



order dated 20.05.2019, passed in Cr. Misc. No.33235 of 2019.

The case of the petitioner stands exactly on the same footing.

Taking into consideration the facts and nature of allegation made against the petitioner and the facts that the petitioner is a lady, she has got no criminal antecedent and on the same facts her husband has been enlarged on bail, let petitioner, above named, in the event of her arrest or surrender before the court below within a period of four weeks from the date of receipt of the order, 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 the learned Special Judge, Excise, Muzaffarpur in connection with Paroo P.S. Case No.102 of 2019, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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