

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65489 of 2019

Arising Out of PS. Case No.-62 Year-2019 Thana- BELA District- Sitamarhi

SARITA DEVI @ SITA DEVI, aged about 57 years, Gender-Female, W/o
Hari Charan Chaudhary @ Hari Chandar Chaudhary @ Hari Chandra
Chaudhary, R/o Village- Lahuriya, P.S.- Bela, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok, Adv.

For the Opposite Party/s : Mr.Ashraf Ansari

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 13-11-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending her arrest in a case registered for the offence punishable under Sections 272/273 of the Indian Penal Code and 30 (A) of the Bihar Prohibition and Excise Act, 2016.

Prosecution case is that as per FIR that on secret information on 19.03.2019 in the night the informant alongwith armed forces came at the house of Sarita Devi and saw her house was opened and her family members were absconding. The informant searched her house and recovered 100.800 liters of Nepali Saufi wine. The informant seized the said wine and prepared seizure list.

Learned counsel for the petitioner submits that there is



no recovery from the conscious possession of the petitioner, rather, it is recovered from the house of the petitioner and the house belongs to joint family. The petitioner has no criminal antecedent.

In the aforesaid facts and circumstances of the case, I am inclined to grant anticipatory bail to the above named petitioner, subject to deposit of Rs. 20,000/- in the court below and on deposit of the aforesaid amount, in the event of her arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bonds 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 Bela P.S. Case No. 62 of 2019, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

Such deposit of Rs. 20,000/- shall abide by the outcome of the criminal case.

(Anjani Kumar Sharan, J)

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