

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11669 of 2020

Arising Out of PS. Case No.-30 Year-2020 Thana- BARACHATTI District- Gaya

Meena Devi (Female) aged about 44 years, wife of Maharaj Bhuiyan @ Maharaj Manjhi, Resident of Village Padumchak, P.S. Barachatti, Distt. Gaya

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sinha, Adv.

For the Opposite Party/s : Mr. Humayou Ahmad Khan, APP.

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 24-07-2020 Heard learned counsel for the petitioner and learned APP for the State, through video conferencing.

The petitioner has filed the instant application for grant of anticipatory bail apprehending her arrest in connection with Barachatti P.S. Case No. 30 of 2020 registered under section 30(d) of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the FIR, on secret information having been received a raid was conducted and it is stated that four gallons of soaked mahua flowers were recovered from behind the house of the petitioner.

It is submitted by learned counsel for the petitioner that the allegations as levelled in the FIR are false and concocted. No recovery of any incriminating article as alleged has taken place from the person of possession of the petitioner.



As per the seizure list, the place of recovery is from behind the petitioner's house, which would be accessible to the general public. The petitioner is a lady, having no criminal antecedent.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the place of recovery, the petitioner being a lady and not having any criminal antecedent, the Court is inclined to enlarge the petitioner on anticipatory bail. The petitioner is directed to surrender in the court below within a period of eight weeks from today and in the event of her arrest or surrender in connection with Barachatti P.S. Case No. 30 of 2020, she shall 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 Special Judge, Excise, Gaya subject to the condition as laid down under section 438(2) of the Cr.P.C.

(Partha Sarthy, J)

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