

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24890 of 2020

Arising Out of PS. Case No.-102 Year-2020 Thana- DHAKA District- East Champaran

ASHA DEVI Wife of Shri Narayan Chaudhary Resident of Village -
Pachpakari, P.S.- Dhaka (Pachpakari O.P.), District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravindra Kumar

For the Opposite Party/s : Mr.Anil Kumar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 14-10-2020 Due to COVID-19 Pandemic, the matter is being taken
up by way of virtual Court proceeding.

The matter has been listed under the heading ‘For
Orders’ under the orders of Hon’ble the Chief Justice.

Learned counsel for the petitioner is directed to remove
the defects, as pointed out by the office, within a period of four
weeks from the date of restoration of normalcy.

Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending her arrest in a case
registered under Sections 30(a) of Bihar Prohibition and Excise Act,
2016.

The prosecution case, in short, is that 11.400 liters wine is
recovered from the joint house of the petitioner.

It has been submitted on behalf of the petitioner that the



petitioner has got no criminal antecedent and there is no allegation of tampering of witnesses alleged against the petitioner. It is alleged that 11.400 liters wine is recovered from the joint house of the petitioner where other family members also reside. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner had no knowledge regarding the alleged incident. There is no compliance of Section 100 Cr.P.C.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, East Champaran, Motihari in connection with Dhaka (Pachpakari O.P.) P.S. case No.102 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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