

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18132 of 2021**

Arising Out of PS. Case No.-185 Year-2020 Thana- MUFFASIL District- Aurangabad

GEETA DEVI W/o Ashok Chaudhary R/o Village- Meghraj Bigha, P.S.-
Mufassil, District- Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar

For the Opposite Party/s : Mr. N. N. Tiwary, APP

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER**

2 05-04-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual mode.

Learned counsel for the petitioner is directed to
remove the defects, as pointed out by the Office, within a period
of four weeks.

Learned counsel for the petitioner points out that due
to typographical error, in the cause title of the application, the
petitioner has been shown to be son of Ashok Choudhary
whereas the petitioner is wife of Ashok Choudhary. Further, it
has been submitted that in the affidavit portion, the person who
has sworn the affidavit is shown as father of the petitioner
whereas the person who has sworn the affidavit is the husband
of the petitioner.

The typographical error, as pointed out by the learned



counsel for the petitioner, stands corrected.

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

The prosecution case, in short, is that 72.3 liters wine is recovered.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The petitioner is a lady. It is alleged that 72.3 liters wine is recovered from the hut in question. The hut in question does not belong to the petitioner. 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 six 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 Additional Sessions Judge -II-cum- Special Judge, Excise, Aurangabad in connection with Aurangabad Mufassil P.S. Case No. 185/2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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