

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19402 of 2021**

Arising Out of PS. Case No.-179 Year-2020 Thana- NAYA RAM NAGAR District- Munger

Anita Devi, aged about 33 years (Female), Wife of Pawan Yadav, R/O
Village- Bariyarpur Paria, P.S.- Bariyarpur, District- Munger.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Sanjeev Ranjan, Advocate.
For the Opposite Party : Mr. A.G.

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

2 29-06-2021 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
counsel for the State through virtual mode.

The petitioner is apprehending her arrest in a case for
the offence registered under Sections 30(a) and 32 of the Bihar
Prohibition and Excise (Amendment) Act, 2018.

The prosecution story, in brief, is that total 55 liters
wine is said to have been recovered from the Tempo in question.

It has been submitted by learned counsel for the
petitioner that the petitioner has got no criminal antecedent. She
has falsely been implicated in the present case. There is no
allegation of tampering with the witnesses alleged against the



petitioner. It is alleged that total 55 liters wine is recovered from the Tempo in question. The name of the petitioner has transpired in the present case as being the owner of the Tempo in question. The said Tempo is run as public carrier. The petitioner is a lady. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. 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/ Complaint Case.

Considering the aforesaid facts and circumstances of the case, let the petitioner above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on her personal bond to the satisfaction of the learned Additional Sessions Judge-2nd-cum-Special Judge, (Excise), Munger, in connection with Nayaram Nagar P.S. Case No. 179 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs. 10,000/-(Rupees Ten Thousand) only



with two sureties of the like amount each within a period of eight weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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