

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32811 of 2021

Arising Out of PS. Case No.-39 Year-2020 Thana- BAKHARI District- Begusarai

RAKIBA KHATUN W/o Md. Mashuk @ Md. Dholi Miya @ Md. Mustak
Alam Resident of Village- Makkhachak, Ward No.14, P.S.- Bakhari, District-
Begusarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kumar Sinha, Advocate

For the Opposite Party/s : Mr.Amitesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 02-09-2021 Heard learned counsel for the petitioner and learned APP
for the State through virtual mode.

Counsel for the petitioner is directed to remove the
defect(s), as pointed out by the office, within a period of four weeks
from the date of restoration of normalcy.

The petitioner is apprehending her arrest in connection
with Bakhari P.S. case No.39/2020 registered under Sections 30(A)
of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 6.600 liters wine is
recovered.

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. The petitioner
has falsely been implicated in this case. The petitioner is not named



in the F.I.R. It is alleged that 6.600 liters wine is recovered from the house of co-accused. The petitioner is a lady. The petitioner had no knowledge regarding the alleged incident. Nothing incriminating has been recovered from the conscious possession of the petitioner. There is no compliance of Section 100 Cr.P.C.

On behalf of the State, it is submitted that the petitioner is not named in the complaint case/F.I.R.

Considering the facts and circumstances of the case, 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 learned Additional Sessions Judge II-cum-Special Judge, Excise, Begusarai in connection with Bakhari P.S. case No.39/2020, 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) 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)

Narendra/-

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