

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36617 of 2021

Arising Out of PS. Case No.-259 Year-2020 Thana- RAMKRISHNANAGAR District- Patna

SUNITA SINHA W/O SUDHIR PRASAD SINHA Resident of Mohalla- D-15, Sector-8, Koyala Nagar, P.O.- BCCL Township, P.S.- Saraidhela, District-Dhanbad (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Chandra

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

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 07-10-2021 Heard learned counsel for the petitioner and learned APP
for the State.

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

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 543.51 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 name of the petitioner has transpired as the recovery is made from the godown



belonging to the joint family of the petitioner. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 543.51 liters wine is recovered from the godown belonging to joint family of the petitioner. The petitioner is a lady. 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, 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, Patna in connection with Ram Krishna Nagar P.S. Case No. 259/2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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