

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.43001 of 2021**

Arising Out of PS. Case No.-344 Year-2021 Thana- JAHANABAD District- Jehanabad

Gita Devi D/O Late Teni Chaudhary R/O Mohalla-Thakurwari, Near Pani  
Tanki, P.S. And District- Jehanabad

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Paras Nath, Advocate

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

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

2      15-11-2021      Heard learned counsel for the petitioner and learned APP  
for the State.

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

The petitioner is apprehending her arrest in connection  
with Excise case No.422/2021 arising out of Jehanabad P.S. case  
No.344/2021 registered under Sections 30(a) of the Bihar Prohibition  
and Excise Act, 2016.

The prosecution case, in short, is that 28 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 name of the petitioner  
has transpired in this case on the basis of disclosure made by the



local Choukidar as per F.I.R. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 28 liters wine is recovered from the side of the road. 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 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 furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge II-cum-Special Judge, Excise, Jehanabad in connection with Excise case No.422/2021 arising out of Jehanabad P.S. case No.344/2021, 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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