

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33743 of 2020**

Arising Out of PS. Case No.-180 Year-2020 Thana- FORBESGANJ District- Araria

SANJHELI DEVI, aged about 34 years (M), W/o Pradhan Murmu, R/o village- Tharia-Bakia, P.S.- Simraha, Distt.- Araria.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Ramesh Kumar Singh, Advocate.
For the Opposite Party : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 26-02-2021 Learned counsel for the petitioner is directed to remove the defects, as pointed out by the office, within a period of four weeks.

Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is apprehending her arrest in a case for the offence registered under Sections 44, 45, 53, 30(a) and 38(1) of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 15 liters wine is said to have been recovered from the house of the petitioner and two other co-accused persons.

It has been submitted by learned counsel for the



petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. It is alleged that total 15 liters wine is recovered from the house of the petitioner and two other co-accused persons. 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.

Considering the aforesaid 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 six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the learned 2nd Additional Sessions Judge-cum-Special Judge, Araria, in connection with Forbesganj P.S. Case No. 180 of 2020, corresponding to Special Case No. 278 of 2020, subject to



the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

