

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51052 of 2021

Arising Out of PS. Case No.-164 Year-2021 Thana- ALAMGANJ District- Patna

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GHOLI DEVI @ AMITA DEVI, (Female), aged about 58 years, W/O
Somariya Sahni, Resident of Gaosaighat, P.S.- Alamganj, District- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Ajay Kumar, Advocate

For the Opposite Party : Mr. Tapeswar Sharma, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 17-11-2021 Learned counsel for the petitioner is directed to

remove the defects, as pointed out by the office, within a period

of eight weeks.

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

The petitioner is apprehending her arrest in
connection with Alamganj P.S. Case No. 164 of 2021, Special
Case No. 1900/2021 for the offence registered under Section
30(a) of the Bihar Prohibition and Excise (Amendment) Act,
2018.

The prosecution story, in brief, is that total 65.20 liters
wine is recovered from two plastic bags.

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 25.20 liters wine is recovered from the plastic bag which was left by the petitioner in course of fleeing away and 40 liters wine is recovered from the plastic bag which was left by the co-accused in course of fleeing away. The name of the petitioner has transpired in the present case on the basis of disclosure made by the local *Choukidar*. 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. 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 furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Court, Patna, in connection



with Alamganj P.S. Case No. 164 of 2021, Special Case No.
1900/2021, subject to the conditions as laid down under Section
438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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