

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.39153 of 2020

Arising Out of PS. Case No.-425 Year-2020 Thana- CHANPATIA District- West Champaran

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Sona Devi, W/o Sikandar Ram, Resident of Village - Mishrauli, Ward No. 3,
P.S. - Chanpatia, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Adv.

For the Opposite Party/s : Md. Sufyan, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

3 29-06-2021 Heard Mr. Sanjeev Kumar, the learned Advocate

for the petitioner and Md. Sufyan, the learned APP for the

State.

The petitioner seeks bail in anticipation of her
arrest in connection with Chanpatia P.S. Case No. 425 of
2020, instituted for the offences under Sections 30(a) and
45 of the Bihar Prohibition and Excise Act, 2016.

From the F.I.R., it appears that while the husband



of the petitioner was being taken away by the police party on the charge of keeping twenty litres of liquor, she tried to intervene and also assaulted the informant by means of hard and blunt substance.

It has been submitted on behalf of the petitioner that she has been made accused in this case only because of the implication of her husband in a case under the Excise Act. It has further been submitted that there is no injury received by anyone of the members of the police party and the petitioner has clean antecedents. The petitioner only wanted to know the fault for which her husband was being arrested but instead of answering her, she also has been made accused in this case.

Regard being had to the facts afore-stated and that the offence under the Excise Act is not at all made out against the petitioner from the facts of this case, she, in the event of her arrest or surrender before the learned Court below within a period of eight weeks, is directed to be released on bail on her furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of



the like amount each to the satisfaction of learned Special Judge, Excise, Bettiah, West Champaran, in connection with Chanpatia P.S. Case No. 425 of 2020, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Ashutosh Kumar, J)

Praveen-II/-

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