

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63994 of 2021

Arising Out of PS. Case No.-78 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Purnia

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MAMTA DEVI Wife of Brajesh Paswan Resident of Village- Bhagwatpur
(Lakhminia), P.S.- Balia, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar
For the Opposite Party/s : Mr.Sanjay Kumar Sharma

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 14-12-2021 Heard learned counsel for the petitioner and the State.

Learned 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 CI Case No. 78 of 2021 registered for the offence under
Section-30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 837 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 petitioner has been falsely implicated in the



present case. It is alleged that 837 litres wine is recovered from a tractor. The petitioner is said to be owner of said tractor. The said tractor was given by the petitioner to one Raju Mahto on rent. The petitioner had no knowledge regarding the nature of goods, kept in the trailer of the tractor. 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, 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/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Purnea in connection with CI Case No. 78 of 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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