

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66804 of 2021**

Arising Out of PS. Case No.-167 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Rohtas

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MOST. KALAWATI DEVI @ KALAWATI KUER Wife of Late Bindeshwar Chaudhary Resident of Village- Badhaiyabag Amri, P.S.- Sasaram (M), District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajani Kant Singh
For the Opposite Party/s : Mr.Sharda Kumari

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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 Excise Case No. 167 of 2021 registered for the offence under Section-30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

The prosecution case, in short, is that 209.070 liters wine is recovered.

It has been submitted on behalf of the petitioner that 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 209.070 litres wine is recovered from the joint house of the petitioner and house of one co-accused. 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 Additional Sessions Judge-II-cum-Special Judge, Excise Act, Rohtas at Sasaram in connection with Excise Case No. 167 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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