

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67212 of 2021

Arising Out of PS. Case No.-21 Year-2021 Thana- LADAIYATAR District- Munger

BHATHNI DEVI W/O LATE KESHO KODA R/o village- Khopavar, P.S.-
Ladaiya Tar, Distt.- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jyoti Ranjan Jha

For the Opposite Party/s : Mr.Sanjay Kumar Pandey

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 Ladaiya Tar P.S. Case No. 21 of 2021 registered for the offence under Sections-30(a)/32/53(d) of the Bihar Prohibition and Excise (Amendment) Act, 2018 as well as Sections-2(e)3, 5(b)/18 of Bihar Mahua Flower Act, 2006.

The prosecution case, in short, is that 150 liters wine and 200 kg Mahua flower 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 150 liters wine and 200 kg Mahua flower is recovered from joint house of the petitioner. The petitioner is a lady. 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, Munger in connection with Ladaiya Tar P.S. Case No. 21 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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