

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8111 of 2022

Arising Out of PS. Case No.-230 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Rohtas

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VIDYA DEVI Wife of Ashok Singh Resident of Sisirit Tola, P.S.- Nokha,
District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dineshwar Mishra, Adv.

For the Opposite Party/s : Mr.Veena Kumari Jaiswal, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 25-02-2022 Heard learned counsel for the petitioner and the State
through virtual mode.

Learned counsel for the petitioner is directed to remove
the defect(s), as pointed out by the office, within a period of four
weeks.

The petitioner is apprehending her arrest in connection
with Excise Case No. 230 of 2021 registered for the offence under
Section-30(a) of the Bihar Prohibition and Excise Act.

The prosecution case, in short, is that 40.290 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
40.290 litres wine is recovered from a motorcycle. The petitioner is



said to be owner of the motorcycle, in question. The said motorcycle was gifted by the petitioner to her son-in-law. She had no knowledge regarding the nature of goods kept on the motorcycle by her son-in-law. 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. 230 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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