

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9382 of 2022

Arising Out of PS. Case No.-24 Year-2021 Thana- ARIYARI District- Sheikhpura

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UMA DEVI W/o Ajay Ram Resident of Village - Hardayalpur Biman, P.s.-
Ariyari, and Distt.- Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nilendu Kumar Choudhary, Advocate

For the Opposite Party/s : Mrs.Asha Devi, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 04-03-2022 Heard learned counsel for the petitioner and learned APP
for the State through virtual mode.

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 a case
registered under Sections 30(a) of the Bihar Prohibition and Excise
Act, 2016.

The prosecution case, in short, is that 10 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 falsely been implicated in this case. The
name of the petitioner has transpired in this case on the basis of
secret information as per F.I.R. The source and genuineness of the
secret information has not been disclosed by the prosecution. Except



for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 10 liters wine is recovered from the field. The petitioner is a lady. The petitioner had no knowledge regarding the alleged incident. Nothing incriminating has been recovered from the conscious possession of the petitioner. 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 complaint case/F.I.R.

Considering the facts and circumstances of the case, the petitioner, above named, in the event of arrest or 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 District & Sessions Judge II, Sheikhpura in connection with Excise case No.119 of 2021 arising out of Ariyari P.S. case No.24 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Narendra/-

(Sudhir Singh, J)

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