

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27386 of 2021

Arising Out of PS. Case No.-24 Year-2021 Thana- SONEPUR District- Saran

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Babita Devi W/O Ranjan Kumar R/O Village-Parmanandpur, P.S.-
SONEPUR, District-Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Singh

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 01-02-2022 Heard learned counsel for the petitioner and

learned APP for the State.

Learned counsel for the petitioner is expected

to honour his undertaking given in the instant case for

depositing the requisite court fee and to remove the

defects as pointed out by the office when called upon to

do so by the office.

The petitioner is apprehending his arrest in a

case registered for the offences punishable under Section

20(a), 38, 40(i) of the Bihar Prohibition & Excise Act.

It is alleged that from the room of the

petitioner, 8.640 litres of Indian made foreign liquor was



recovered.

It is submitted by learned counsel for the petitioner that petitioner was not apprehended from the spot. Nothing has been recovered from the conscious possession of the petitioner. As per F.I.R, the house in question belongs to Ranjan Kumar, husband of the petitioner. It is further submitted that as per F.I.R, all the accused persons fled away from the place of seizure then how the police came to know that the room from where the recovery has been made belongs to the petitioner. It raises a serious doubt about the authenticity of the prosecution version. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

In the facts and circumstance of the case, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousands)



with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge-cum-Special Judge, Excise, Saran, Chapra in connection with Sonapur P.S. Case No. 24 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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