

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27159 of 2021

Arising Out of PS. Case No.-137 Year-2018 Thana- GOGRI District- Khagaria

REKHA DEVI Wife of Mukesh Yadav Resident of village - Muskipur, Ward
No. 09, P.S. - Gogari, District - Khagaria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh, Advocate
For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 31-01-2022 Learned counsel for the petitioner is permitted to add

Section 25(1-b)a and 26 of the Arms Act in para-1 of the

petition.

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 defect(s) as pointed out

by the office when called upon to do so by the office.

The petitioner is apprehending her arrest in a case

registered for the offences punishable under Sections 30(a) and

41(i) of the Bihar Prohibition and Excise Act, 2016 and

Sections 25(1-b) and 26 of the Arms Act.

It is a case of recovery of 40 liters of Mahua wine



along with one country made pistol with eleven cartridges.

It is submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in this case. He further submits that the seized country made wine was recovered from the house of the petitioner's husband, namely, Mukesh Singh and the main co-accused Mukesh Singh has already been granted regular bail by a Co-ordinate Bench of this Court passed in Cr. Misc. No.72022 of 2019 vide order dated 29.11.2019. He further submits that at the time of seizure, the petitioner was not present at her house and no offence is made out under the Arms Act. He further submits that he has no knowledge about the alleged recovery and petitioner has got clean antecedent.

Learned APP appearing for the State has opposed the prayer for anticipatory bail.

In the facts and circumstances of the case, let the petitioner, above named in the event of her 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 thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge (Excise), Khagaria in connection with Gogri P.S. Case No. 137



of 2018/G.R. No.987 of 2018, subject to the conditions as laid
down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

brajesh kumar/-

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