

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58116 of 2021

Arising Out of PS. Case No.-295 Year-2021 Thana- WAJIRGANJ District- Gaya

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Rinku Devi W/o Pintu Chaudhary R/o Village- Tarwan, P.S.- Wazirganj,
District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Sinha
For the Opposite Party/s : Mr.Humayou Ahmad Khan

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 27-04-2022 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 her arrest in a

case registered for the offences punishable under

Sections 30(a) of the Bihar Prohibition & Excise Act.

There is recovery of 90 litres of country made

liquor from the house of the petitioner. The petitioner



succeeded to flee away from the place of seizure.

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. In fact, the petitioner has been residing at her parental house with her four children since about six months due to some matrimonial dispute with her husband. Hence, taking advantage of the situation, her husband has named the petitioner. The only material against the petitioner is that she is wife of the owner of the house from which illicit liquor was recovered. 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 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 Thousands) with two sureties of the like amount each to the



satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, Gaya in connection with Wazirganj P.S. Case No. 295 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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