

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53268 of 2022

Arising Out of PS. Case No.-102 Year-2022 Thana- SISWAN District- Siwan

Sita Devi Wife Of Late Munna Mahto R/O Village- Kachnar, P.S.- Siswan,
District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar

For the Opposite Party/s : Mr.Sanjay Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-11-2022 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceedings.

The petitioner apprehends her arrest in a case registered for the offences punishable under Sections 272 and 273 of the Indian Penal Code as well as under Section 30(A) and 38(B) of the Bihar Prohibition and Excise Act.

13 litres of country made liquor and 8.460 litres of foreign liquor has been recovered from the house of co-accused, Chhotelal Mahto. The petitioner is said to have fled away from the said house after seeing the police.

Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in the present case. It is further submitted that the petitioner has got no criminal antecedent as stated in paragraph-3 of the bail



applications. It is submitted that the said liquor and house do not belong to the petitioner. It is further submitted that there is no compliance of Section 100 Cr.P.C. It is also submitted that there is no recovery from the conscious possession of the petitioner.

Petitioner is agree to deposit a sum of Rs. 10,000/- (rupees ten thousand) in the Patna High Court Legal Services Committee, Patna, bearing Account No.1413010060836, IFSC Code: PUNB0141320, Punjab National Bank, Bar Council Branch, Patna.

Taking into consideration the fact that there is no recovery from the conscious possession of the petitioner, let petitioner, above named, in the event of her arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned ADJ Exclusive Special Excise Court No.2, Siwan in connection with Siswan P.S. Case No.102 of 2022, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure as well as subject to the further conditions that:

(i) One of the bailors will be their own blood relative, preferably, father, mother, brother, sister and/or her husband.



(ii) The petitioner shall not indulge herself in any similar offence till conclusion of the trial.

The bail bond of the petitioner shall be accepted by the learned court below on showing receipt of deposit of the aforesaid amount in the Patna High Court Legal Services Committee, Patna.

(Anjani Kumar Sharan, J)

Sanjay/-

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