

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17854 of 2024

Arising Out of PS. Case No.-120 Year-2023 Thana- TAJPUR District- Samastipur

Champa Devi Wife Of Late Thagan Sahni R/O-Chaklalsahi, P.S.-Tajpur
(Halai O.P.), Distt.-Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Bhushan Prasad

For the Opposite Party/s : Mr.Pradeep Narain Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 14-05-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends her arrest in a case registered for the offence under Section 30(a) of Bihar Prohibition and Excise Act.

3. As per F.I.R., 4.250 liters of country-made liquor has been recovered from the tea stall of Thagan Sahni, husband of this petitioner.

4. It is submitted on behalf of petitioner that no incriminating article has been recovered from conscious possession of petitioner and petitioner has got no concern with the alleged recovery. Section 100 Cr.P.C. has not been followed with regard to search & seizure. Petitioner is lady and has got clean antecedent.

5. Learned A.P.P. for the State has opposed the bail petition.



6. Considering the quantity of recovery and clean antecedent, let the above named petitioner, in the event of arrest/surrender within a period of six weeks from today, be enlarged on 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 – 02, Samastipur, in connection with Tajpur P.S. Case No. 120 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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