

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25624 of 2017

Arising Out of PS.Case No. -46 Year- 2017 Thana -GAMAHARIYA District- MADHEPURA

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Shobha Devi Wife of Krishnadeo @ Krishna Gupta, resident of Village-
Suryaganj, Ward No. 17, P.S.- Gamharia, District- Madhepura.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Amarnath Jha, Advocate

For the Opposite Party/s : None.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2. 13-06-2017 Heard learned counsel for the petitioner. No
one appears on behalf of the State.

The petitioner is seeking Regular Bail in
connection with Gamharia P.S. Case No. 46/2017 for the
offences registered under Section 30(A) of the Bihar
Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that
petitioner and her husband both have been made accused in
the said case on the allegation that in their residential house
foreign liquor, as shown in the seizure list, were seized.
Learned counsel for the petitioner submits that at the first
instance the petitioner has been falsely implicated in this
case as nothing has been recovered from her conscious
possession. The house in question is a joint family house
and the petitioner was not aware of any presence of liquor



in the premises.

Learned counsel for the petitioner further submits that the petitioner is a lady and having no criminal antecedent and she is in custody for two months by now, her case may be considered taking into consideration that there is no one in the family to take care of her children. The husband is also in custody.

Learned Additional Public Prosecutor opposed the prayer for bail of the petitioner, however, considering the nature of allegation and the facts and circumstances, as stated above, particularly that the petitioner and her husband both have been arrested in the same case and the petitioner has already completed two months in custody having no criminal antecedent, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-IV, Madhepura, in connection with Gamharia P.S. Case No. 46/2017.

(Rajeev Ranjan Prasad, J.)

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