

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37342 of 2018

Arising Out of PS. Case No.-319 Year-2017 Thana- BARH District- Patna

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1. Rekha Devi, Wife of Birju Yadav, Resident of Dalismanchak, P.S. Barh, District Patna.
 2. Malti Devi @ Neelam Devi, Wife of Dilip Rai, Resident of Jalgovind, P.S. Barh, District Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Sri Manoj Kumar Pandey

For the Opposite Party/s : Sri Pradeep Narain Kunwar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 29-06-2018 Heard Sri Manoj Kumar Pandey, learned counsel for the petitioners and Sri Pradeep Narain Kunwar, learned Additional Public Prosecutor.

Two petitioners, who are lady, apprehending their arrest in connection with Spl. Case No. 7631 of 2017 arising out of Barh P.S. Case No. 319 of 2017, registered for the offence under Section 30(a)(c) of the Bihar Prohibition and Excise Act, 2016, have prayed for grant bail in the event of their arrest or surrender.

By way of referring to the F.I.R., learned counsel for the petitioners submits that it appears from the F.I.R. that Police



was adamant to implicate the petitioners and their entire family members. This was the reason that initially on secret information a raid was conducted in the house of one Mukesh Kumar @ Mukesh, liquor was found, and thereafter, Police party were returning, then again, on some secret information a raid was conducted in pump house on the plea that Police had got information that some accused persons were preparing liquor in the pump house. In the raid at pump house none of the accused persons were found and thereafter, Police subsequently reached the house of petitioners and falsely recovery of about 5 liters of country made liquor was shown and entire family members have been arrayed as accused in the present case.

Be that as it may, considering the facts disclosed in the F.I.R. as well as the fact that both petitioners are lady, in the event of their arrest or surrender within a period of six weeks from today, let both petitioners namely (1) Rekha Devi and (2) Malti Devi @ Neelam Devi be enlarged on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge Excise, Patna District Patna / concerned court in connection with Spl. Case No. 7631 of 2017 arising out of Barh P.S. Case No. 319 of 2017 subject to the conditions as



contemplated under Section 438(2) of the Code of Criminal
Procedure, 1973.

(Rakesh Kumar, J)

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