

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12988 of 2019**

Arising Out of PS. Case No.-3 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Banka *

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SAVITRI DEVI Wife of Late Bharat Yadav Resident of Village - Haripur,
P.S.- Banka, Distt - Banka.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Mukherjee
For the Opposite Party/s : Mr.Ahtasham Ali Khan

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 06-03-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
12.01.2019 in connection with Excise Complaint Case No. 03 of
2019 for offences punishable under Section 30(a) of the Bihar
Prohibition and Excise Act, 2016.

The prosecution case, as lodged by the excise
officials, is that on secret information that one Niwas Yadav is
selling illicit liquor from his kirana shop, the excise officials
conducted a raid and at the back of animal yard under the straw
24 litres of country-made liquor and 1.620 of Indian made
foreign liquor totaling 25.620 litres of illicit liquor was
recovered. Accordingly, a seizure memo was prepared.



Petitioner is the mother of the said co-accused Niwas Yadav, who on interrogation by the excise officials, confessed that she is also engaged in selling of illicit liquor.

It has been submitted by the learned counsel for the petitioner that she is innocent, is the mother of co-accused being 55 years of age, bears no criminal history and has been falsely implicated in the aforesaid case. It is further submitted that she has been sufficiently punished as she is languishing in judicial custody for about two months.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the nature of allegations as well as the period of custody, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II, Banka, in connection with Excise Complaint Case No. 03 of 2019.

(Nilu Agrawal, J)

Rajesh/-

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