

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14702 of 2019

Arising Out of PS. Case No.-37 Year-2019 Thana- MALSALAMI District- Patna

POONAM DEVI, aged about 35 years, Female, Wife of Umesh Das, Resident
of Mohalla- Naya Tola Sharifaganj, P.S.- Malsalami, District – Patna
... Petitioner

Versus

THE STATE OF BIHAR ... Opposite Party

Appearance :

For the Petitioner : Mr. Ajay Kr Singh No.1, Adv.

For the Opposite Party : Mr. Zainul Abedin, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 13-03-2019 Heard the learned counsel for the petitioner and the
learned counsel appearing for the State.

The petitioner is languishing in judicial custody since
24.01.2019 in connection with Special Case No. 910 of 2019
arising out of Malsalami P.S. Case No. 37 of 2019 for the
offence alleged under Section 30(a) of the Bihar Prohibition and
Excise Act, 2016.

The prosecution case, as lodged by the police
personnel, is that on information that the petitioner is trading in
illicit liquor she was apprehended with 15.100 liters of mahua
wine. Accordingly, a seizure list was prepared.

It has been submitted by the learned counsel for the
petitioner that she is innocent, bears no criminal history and has
been sufficiently punished. He, further, submits that the
petitioner is a lady languishing in judicial custody since nearly



two months and the petitioner undertakes to cooperate in the investigation, not to induce witnesses or tamper with the prosecution evidence.

However, the learned Additional Public Prosecutor for the State opposes the prayer for bail.

Considering the nature of allegations, let the petitioner, above named be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Special Case No. 910 of 2019 arising out of Malsalami P.S. Case No. 37 of 2019 to the satisfaction of the learned Special Judge, Excise, Patna, subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.

(Nilu Agrawal, J)

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