

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 14691 of 2019

Arising Out of P.S. Case No.-298 Year-2018 Thana- SULTANGANJ District- Bhagalpur

SARITA DEVI, aged about 55 years, Gender-Female, Wife of Late Lalit Sah
Resident of Village - Jamalpur, Faridpur, Farhi (O.P.), P.S.- Jamalpur, Distt.-
Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nawal Kishore Singh, Advocate

For the Opposite Party/s : Mr.Rita Verma, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 12-03-2019 Heard the learned counsel for the petitioner and

learned counsel appearing on behalf of the State.

Petitioner is languishing in judicial custody since
09.12.2018 in connection with Sultanganj P.S.Case No.298 of
2018 for the offence alleged under Sections 30(a) of the Bihar
Excise Prohibition Act, 2016.

The prosecution case as lodged by the police officials
is that on information that a Pawan Bus is carrying illicit liquor
from Jharkhand, the police intercepted the said bus. While three
persons managed to flee away, three ladies including the
petitioner were apprehended while two other ladies who were
named by the apprehended ladies also managed to flee away.
From the possession of the petitioner, 30 litres of country made



illicit liquor was recovered and from the possession of other co-accused also illicit country made liquor was recovered. Accordingly, a seizure list was prepared.

It has been submitted by the learned counsel for the petitioner that she is innocent, bears no criminal antecedent and has been falsely implicated in the aforesaid case. He submits that two of the co-accused apprehended along with the petitioner on similar allegations have already been granted the privilege of bail by a coordinate Bench of this Court in Cr.Misc.No.6999 of 2019 dated 06.02.2019 and Cr.Misc.No.10138 of 2019 dated 20.02.2019.

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

Considering the nature of allegations and the materials on record and that on similar allegation other co-accused have been granted the privilege of bail, 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 Sultanganj P.S.Case No.298 of 2018 to the satisfaction of learned IInd Additional District Sessions Judge-cum-Special Judge Excise, Bhagalpur, subject to the conditions that one of the bailors would be a



close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his/her relationship with the petitioner.

(Nilu Agrawal, J)

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