

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24288 of 2019

Arising Out of PS. Case No.-99 Year-2019 Thana- SAHEBGANJ District- Muzaffarpur

Basanti Devi, Wife of Lal Babu Bhagat Resident of Village - Jagdishpur, P.S.-
Sahebganj, Distt - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Ranjan, Advocate

For the Opposite Party/s : Mr.Ahtasham Ali Khan, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 19-04-2019 Heard learned counsel for the petitioner and the learned
APP for the State.

Petitioner is languishing in custody since 19.03.2019, in connection with Sahebganj P.S. Case No. 99 of 2019, for the offence alleged under Sections 272, 273/34 of the Indian Panel Code and Section 30 (a), 36, 38(ii) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, as lodged by the police personnel is that during patrolling duty they received information that the husband of the petitioner Lal Babu Bhagat is selling illicit liquor in a grocery shop. The police conducted a raid and the said Lal Babu Bhagat fled away and his wife (petitioner) was apprehended. On search from the shop 47.07 litres of illicit foreign liquor was recovered. Accordingly, 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 falsely implicated in the aforesaid case being wife of Lal Babu Bhagat. It is further submitted that the petitioner has been sufficiently punished and she is languishing in judicial custody since 19.03.2019.

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

Considering the nature of allegation and period of custody and that the petitioner does not bear criminal antecedent as stated in paragraph 3 of the petition, let the 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 the learned Special Judge, Excise, Muzaffarpur, in connection with Sahebganj P.S. Case No. 99 of 2019, 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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