

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.24199 of 2019

Arising Out of PS. Case No.-34 Year-2019 Thana- GURUA District- Gaya

KIRAN DEVI, aged about 64 years, Female, W/o Dinesh Mistri, R/o village-
Badhauna, P.S.- Konch, Distt.- Gaya, Patna ... Petitioner

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioner : Mr. Kiran Sinha, Adv.

For the Opposite Party : Mr. Satyadeo Singh Yadav, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL ORDER

2 18-04-2019 Heard the learned counsel for the petitioner and the
learned Additional Public Prosecutor appearing for the State.

The petitioner is languishing in judicial custody since
02.03.2019 in connection with Gurua P.S. Case No. 34 of 2019
for the offence alleged under Section 414 of the Indian Penal
Code and under Section 30(a) of the Bihar Prohibition and
Excise Act, 2016.

The prosecution case, as lodged by the police
personnel, is that on secret information that illicit liquor is
concealed in a Ford Figo vehicle without registration number
and is arriving, the police intercepted the vehicle and
apprehended the petitioner along with the Driver, Ramesh
Kumar. On search, from the vehicle 210 liters of mahua wine
was recovered. The vehicle without registration number was
also alleged to be a stolen one. 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, is an
old lady of 64 years and did not know that illicit liquor was



being concealed. It is, further, submitted that the illicit liquor has not been recovered from the conscious possession, she undertakes to cooperate in the investigation and not to tamper with the prosecution evidence.

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

Considering the nature of allegations and that the petitioner is an old lady, having no criminal antecedent, as stated in paragraph 3 of the present application, 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 Gurua P.S. Case No. 34 of 2019 to the satisfaction of the learned Special Judge, Excise, Gaya, or the successor Court 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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