

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32972 of 2019

Arising Out of PS. Case No.-279 Year-2019 Thana- KOTWALI District- Patna

1. Sanu Devi
2. Shama Devi

Both are wives of Baijnath Prasad @ Dhodhwa, resident of Mohalla-
Kamla Nehru Nagar Nichali, P.S.- Kotwali, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Manish Kumar No2, Advocate
For the State	:	Ms. Suman Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 20-05-2019 Heard learned counsel for the petitioners and
learned counsel for the State.

The petitioners seek bail in connection with Special
Case No.3586 of 2019 arising out of Kotwali P.S. Case No.279
of 2019 registered under Sections 30(a) and 38(1)(2) of the
Bihar Prohibition and Excise Act, 2016.

It is submitted by the learned counsel for the
petitioners that the alleged recovery of sixty nine liters illicit
liquor was made from a dustbin kept on the road side which is
just adjacent to the house of the petitioners. However, out of
suspicion, the police have registered a case against the
petitioners and one Md. Ashiq @ Bateshar. The petitioners are



Parda-nasheen ladies and have no concern with trade of illicit liquor. They are in custody since 04.04.2019 and have got no criminal antecedent. Having got roots in the society, they are not likely to abscond or tamper with the evidence.

Learned counsel for the State submitted that as per the FIR one Baijnath @ Dhodhwa has got two wives. Both the petitioners are wives of Baijnath @ Dhodhwa. They were apprehended on the charge of recovery of sixty nine liters of illicit liquor from the house of the petitioners and the defence taken by the petitioners cannot be a ground for grant of bail.

Having regard to the facts and circumstance of the case, the petitioners are directed to be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) each with sureties of the like amount each to the satisfaction of learned Special Judge-cum-Excise, Patna in connection with Special Case No.3586 of 2019 arising out of Kotwali P.S. Case No.279 of 2019 subject to the following conditions:-

- (a) that the petitioners shall attend court in accordance with the conditions of the bond executed,
- (b) that the petitioners shall not commit an offence similar to the offence of the present case,



and

(c) that the petitioners shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

(Ashwani Kumar Singh, J)

Md. S/-

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