

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42663 of 2019

Arising Out of PS. Case No.-63 Year-2017 Thana- SIKARPUR District- West Champaran

GITA DEVI @ SITA DEVI, Gender-Femal, aged about 30 years, Wife of
Mithu Mahto, Resident of Mohalla- Purani Bazar, T.P. Verma College Road,
Narkatiyaganj, P.S.- Shikarpur, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar No 7, Adv.
For the Opposite Party/s : Mr.Dilip Kumar No. 1(APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 16-11-2019 Heard learned counsel for the parties.

Petitioner, apprehends her arrest in connection with
Shikarpur P.S. Case No. 63 of 2017 registered for the offences
punishable under Sections 30(a), 30(c), 30(e), 37(a) and 37(c) of
the Bihar Prohibition and Excise Act, 2016.

Informant is the police officer, who in his written
complaint has alleged that on information received that some
villagers are involved in manufacture of illicit liquor, he along
with other police personnel raided the village. Concealed
materials stored for preparing the illicit liquor were destroyed in
presence of witnesses and villagers and from some of the
accused illicit liquor was recovered from their possession who



disclosed that same has been purchased from accused Rajkumari Devi. He further disclosed that 'Gur' is purchased from Bharti Sah from which illicit liquor is prepared and they proceeded towards 'Dhangadh Basti' then from the house of Gita Devi, Mathu Mahto and Chattu Mahto five containers were seized which contained 'Gur'.

It has been submitted on behalf of the petitioner that she is innocent and nothing has been recovered from her possession. The allegation of recovery of 'Gur' from the containers concealed in the house is against her husband Mithu Mahto and Chattu Mahto and she is not concerned with same. She has no criminal antecedent.

Considering the facts and circumstances of the present case, let petitioner, above named, in the event of arrest or surrender within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Bettiah, West Champaran, in connection with Shikarpur P.S. Case No. 63 of 2017, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure with following conditions:

- (1) Bailors should be local having sufficient immovable property



within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be present on each and every date fixed by the court and her absence on two consecutive dates without proper and valid reason trial court shall have liberty to cancel her bail bond.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offences, after her release on bail the trial court shall take steps to cancel his bail bonds.

(S. Kumar, J)

Rajiv/-

U		T	
---	--	---	--

