

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 81690 of 2019

Arising Out of PS. Case No.-415 Year-2019 Thana- GANDHIMAIDAN District- Patna

Sangita Devi aged about 26 years, Female, Wife of Deepak Ray Resident of
Mohalla - Salimpur Ahra Gali No. 3, P.S.- Gandhi Maidan, Distt. - Patna - 3
... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ashutosh Singh
For the Opposite Party/s : Mrs. Renu Kumari

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 11-12-2019 Heard learned counsel for the parties.

The petitioner seeks bail in Gandhi Maidan P.S. Case No. 415 of 2019, corresponding to Special Case No. 8783 of 2019, registered for the offence under Section 30(a) of Bihar Prohibition and Excise Act, 2016.

It is a case of recovery of 26.730 liters of foreign liquor from the house of the petitioner.

It is submitted on behalf of petitioner that petitioner has falsely been implicated in this case and nothing has been recovered from her conscious possession, rather said recovery has been effected from the house, which is in joint possession. He further submits that Section 100 Cr.P.C. has not been followed with respect to search and seizure. There is also no allegation against the petitioner of tampering with the evidence and petitioner is in custody since 03-10-2019, having no



criminal antecedent.

Considering the aforesaid facts and circumstances as well as nature of accusation, let the above named petitioner 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 learned Special Judge, Excise, Patna in connection with Gandhi Maidan P.S. Case No. 415 of 2019, arising out of Special Case No. 8783 of 2019, on the following conditions:

(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present, as directed by the Court and on her absence on two consecutive dates without sufficient reason, her bail-bond shall be cancelled by the Court below.

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

(Prabhat Kumar Singh, J.)

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