

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.10076 of 2020**

Arising Out of PS. Case No.-40 Year-2019 Thana- RAGHOPUR District- Vaishali

SUMITRA DEVI W/o Raj Kumar Rai R/o village- Rustampur Pachpeiya,
P.S.- Raghapur, District- Vaishali, At present R/o Mohalla- Gulmahiyachak,
(Sabbarlpur), P.S.- Deedarganj, District- Patna

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Rudal Singh, Advocate

For the Opposite Party/s : Mr.Atul Chandra, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

3 11-06-2020 This application has been placed for consideration by

the order of the Hon'ble the Chief Justice through virtual court

proceeding.

Heard learned counsel for the petitioner and learned

APP for the State.

The petitioner in the present case is seeking anticipatory

bail in connection with Raghapur (Rustampur) P.S. Case No. 40 of

2019 registered for the offence punishable under Sections 30(a)

and 32(iii) of Bihar Prohibition & Excise Act.

Learned counsel for the petitioner submits that the

petitioner has been made accused in this case along with her

husband and daughter and the petitioner had no knowledge

regarding the liquor kept inside the house. It is further submitted

that the petitioner was residing at Patna in connection with the



study of the children and co-accused has been enlarged on anticipatory bail in Cr. Misc. No. 7556 of 2020 by this Court.

Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

Considering the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioner that this petitioner has been made accused only because she happens to be the wife of Raj Kumar Rai who is the main accused of this case and even in the impugned order learned Sessions Judge has recorded the fact that Police had made accused the wife and daughter of the said Raj Kumar Rai and further submission that there is no allegation that this petitioner had any knowledge of alleged illicit liquor inside the house and further submission that the petitioner was residing at Patna in connection with study of the children and she has no criminal antecedent as also the submission that co-accused has already been granted anticipatory bail in Cr. Misc. No. 7556 of 2020, let the petitioner above named in the event of his arrest or surrender within a period of four weeks from today in connection with Raghapur (Rustampur) P.S. Case No. 40 of 2019 be released on bail on furnishing of bail bonds of Rs. 25,000/- (twenty five thousand) each with two sureties of the



like amount each to the satisfaction of learned Additional Sessions Judge II-cum- Excise Court, Vaishali at Hajipur, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person 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;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

This application stands allowed.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

