

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23203 of 2020

Arising Out of PS. Case No.-430 Year-2018 Thana- BAHADURPUR District- Darbhanga

Manju Devi W/o- Ram Murat Yadav Residence of Village/ Mohallah - Biuni,
P.S. - Bahadurpur (Pator O.P.), District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kedar Jha

For the Opposite Party/s : Mr.A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 09-09-2020 Heard learned counsel for the petitioner as well as
learned A.P.P. for the State through video conferencing.

The petitioner seeks bail in G.O. Case No. 866 of
2018, arising out of Bahadurpur P.S. Case No. 430 of 2018,
registered for the offence under Sections 30(a)/32(2)(3)/38 of
Bihar Prohibition and Excise Act, 2016.

In this case, 1200 liters of illicit foreign liquor are said
to have been recovered from a hut and altogether eight persons
have been named in the FIR, which includes petitioner.

It is submitted on behalf of petitioner that petitioner,
who is lady, has falsely been implicated due to dirty village
politics. It is further submitted that nothing has been recovered
from the conscious possession of the petitioner, but all the
family members of petitioners have been dragged in this case. In
this case, husband and son of petitioner have already been
granted bail by this Court, vide order dated 13-03-2019 passed



in Cr.Misc. No. 14999 of 2019 and order dated 04-03-2020 passed in Cr.Misc. No. 9195 of 2020 respectively. The petitioner is in custody since 02-03-2020, having no criminal antecedent.

Considering the aforesaid facts and circumstances, the bail application is allowed.

Let the above-named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge-cum-Special Judge (Excise), Darbhanga in connection with G.O. Case No. 866 of 2018 (arising out of Bahadurpur P.S. Case No. 430 of 2018) 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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