

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32296 of 2020

Arising Out of PS. Case No.-44 Year-2020 Thana- SACHIVALAYA District- Patna

ANJU DEVI Daughter of Late Birju Ram @ Bittu Ram and Wife of Sanjay Ram Resident of Mohalla- Yarpur Jhuggi Jhopadi, Raj Medical Ke Samne, P.S.- Sachiwalaya, District- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Manish Kumar No.2
		Mr. Gajendra Kumar Singh
For the Opposite Party	:	Smt. Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 21-12-2020 Heard Mr. Manish Kumar No.2, learned counsel appearing on behalf of the petitioner and Smt. Asha Devi, learned Additional Public Prosecutor, for the State of Bihar.

This application for grant of regular bail arises out of Sachivalaya P.S. Case No. 44 of 2020, registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

A total of 29.970 liters of foreign liquor was allegedly recovered from a hutment belonging to the petitioner, who managed to flee away from the place of occurrence on seeing the police party. A spy is said to have disclosed to the police that it was the petitioner, who had managed her escape from the place of occurrence at the time of search of the hut.

The petitioner is in custody since 18.06.2020.



Learned counsel appearing on behalf of the petitioner has submitted that evidently the petitioner's name has emerged on the basis of so called disclosure made by a spy of the police.

Though on reading of paragraph 3 of the application, I find that the petitioner has criminal antecedent inasmuch as her name has figured as accused in at least three cases of similar nature, however, considering the quantity of liquor said to have been recovered and the period for which the petitioner has remained in custody, this application is allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge-Excise, Patna, in Sachivalaya P.S. Case No. 44 of 2020.

It is directed that the defect(s) in the application, pointed out by the Registry, must be removed within two months.

Since COVID-19 pandemic situation is prevailing, the Court has considered it appropriate to adopt following procedure for communication of the present order :-

(i) The order, which has been dictated during the course of the proceedings of virtual Court, shall be



communicated to me on my e-mail I.D. by the Secretary.

(ii) The corrected copy of the order shall be transmitted by me from my e-mail I.D. to the Secretary, which shall be treated to be the authentic copy of the order passed by this Court today in the present proceeding.

(iii) Hard copy of the order, duly signed by me, shall be preserved in my residential-office for documentation and future use, if any.

(iv) Let a copy of the order be communicated to the learned Court below through e-mail or any other appropriate electronic mode by the Registry.

Let steps be taken by the Registry for uploading of the present order without compromising with the norms of social distancing.

(Chakradhari Sharan Singh, J)

Pawan/-

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

