

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34634 of 2020

Arising Out of PS. Case No.-215 Year-2020 Thana- GAIGHAT District- Muzaffarpur

1. PAYAL DEVI Wife of Surendra Singh Resident of Village- Bela Gopi, P.S.- Gaighat, District- Muzaffarpur.
2. MALA DEVI Wife of Bachan Singh Resident of Village- Bela Gopi, P.S.- Gaighat, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr. Neeraj Kumar Alias Sanidh

For the Opposite Party/s : Md. Sufiyan, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 23-12-2020 Due to COVID-19 Pandemic, the matter is being taken up by way of virtual Court proceeding.

The matter has been listed under the heading “For Orders” under the orders of Hon’ble the Chief Justice.

Learned counsel for the petitioners is directed to remove the defect(s), as pointed out by the office, within a period of four weeks after restoration of normalcy.

Heard learned counsel for the petitioners and learned APP for the State.

The petitioners seek bail in a case registered under Sections 272, 273, 290, 34 of the Indian Penal Code and Sections 30(a), 41, 56D of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 274.5 liters wine is recovered.

It has been submitted on behalf of the petitioners that the



petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners are in custody since 30-07-2020. Charge sheet/Prosecution report in this case has already been submitted. It is alleged that 274.5 liters wine is recovered from joint house of the petitioners. Petitioners are ladies. Nothing incriminating has been recovered from the conscious possession of the petitioners. The petitioners had no knowledge regarding the alleged incident. There is no compliance of Section 100 Cr.P.C.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Muzaffarpur in connection with Gaighat P.S. Case No. 215 of 2020.

(Sudhir Singh, J)

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