

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1171 of 2020

Arising Out of PS. Case No.-748 Year-2019 Thana- CHAPRA TOWN District- Saran

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DHANAWATI DEVI @ DHANWATRI DEVI Wife of Shyambabu Mahto @
Shyam Babu Mahto Resident of Mohalla - Sahebganj, Adda No.2, Ward No.
29, P.S. - Chapra Town, District - Saran at Chapra

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dewendra Narayan Singh, Adv.
For the Opposite Party/s : Mr.Parmanand Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 18-01-2020 Heard learned counsel for the petitioner and the learned
APP for the State.

The petitioner seeks bail in **Saran (Chapra) Town P. S.**
Case No. 748 of 2019 instituted for the offence under Section(s)
30(a), 41(i)(ii) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case is that on secret information the
police had gone to investigate the trade of illicit liquor. The
seizure of 677.490 liters illicit liquor, even as per the First
Information report, is from the house of co-accused, namely,
Dilip Mahto. The allegation is that petitioner and others are also
indulging in sale of the same.

It is submitted by the petitioner's counsel that she has



been apprehended merely by virtue of being present near the house from where the recovery has been made. There is no alleged recovery from the petitioner's possession. It is further submitted that the implication and allegation regarding indulging in sale of illicit liquor is based on suspicion and prior to the instant case, there is no criminal antecedents of the petitioner. She is in custody since 17.12.2019.

The learned APP for the State opposed the prayer for bail.

Considering the aforesaid, 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 **Additional Sessions Judge -2nd-cum- Special Judge (Excise) Act Saran at Chapra**, in connection with **Chapra Town P. S. Case No. 748 of 2019**, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if she fails to do so on two consecutive dates, her bail



bond will be liable to be cancelled.

(Madhuresh Prasad, J)

shyambihari/-

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