

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26114 of 2021**

Arising Out of PS. Case No.-25 Year-2021 Thana- SIDHWALIYA District- Gopalganj

Gayatri Devi (Female), aged about 51 years, Wife of Chhathu Mahto Resident of Village- Buchiya Mathiya, Ward No. 09, P.S.- Sidhwalia, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Radha Mohan Singh

For the Opposite Party/s : Mr.S.M.Rahman,APP

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3. 06-08-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Sidhwalia P.S. Case No. 25 of 2021, registered for the offence under Section 30(a) of Bihar Prohibition and Excise Act.

7 liters of country-made liquor has been recovered from a bush near the house of the petitioner.

It is submitted on behalf of petitioner that nothing has been recovered from the conscious possession of the petitioner. The recovery has been made from a public place. Petitioner has got clean antecedent and she is in custody since 18.01.2021.

However, learned A.P.P. for the State has opposed the bail petition and submitted that petitioner has got criminal



antecedent and she is accused in six more cases of Excise Act.

Considering the aforesaid facts and circumstances as well as criminal antecedent of the petitioner, the above named petitioner is directed to be released on bail, **after framing of charge**, on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Court-below where the case is pending in connection with Sidhwalia P.S. Case No. 25 of 2021, 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 below and shall remain physically present, as directed by the court below, 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.)

anay

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

