

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30495 of 2021

Arising Out of PS. Case No.-67 Year-2021 Thana- HARLAKHI District- Madhubani

LALITA DEVI W/O LATE DIPENDRA SAH R/O VILLAGE
KAMLAWARPATTI, P.S-HARLAKHI, DISTRICT-MADHUBANI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar Sah, Advocate

For the Opposite Party/s : Mr. Ganesh Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 08-12-2021 Heard Mr. Bhavesh Kumar Sah, learned counsel

for the petitioner and Mr. Ganesh Prasad Singh, learned

Additional Public Prosecutor appearing for the State.

Petitioner seeks regular bail in connection with
Harlakhi P.S. Case No. 67 of 2021 registered for the
offences punishable under Sections 272, 273/34 of the
Indian Penal Code 1860 and Section 30(a) of the Bihar
Prohibition and Excise Act, 2016.

The allegation as per the First Information Report
is that a total quantity of 297.300 litres of illicit *Nepali*
liquor has been recovered from the house of the petitioner.

Learned counsel for the petitioner submits that the
petitioner has not committed any offence in the manner



alleged and she has falsely been implicated in this case by the Police with oblique motive. Learned counsel further submits that the procedure regarding search and seizure prescribed in the Criminal Procedure Code as well as Excise Act has not been followed at the time of alleged seizure of liquor from the house of the petitioner. Learned counsel also submits that the petitioner has no criminal antecedent and she is in custody since 13.3.2021 having no criminal antecedent, charge sheet has already been submitted and there is no likelihood that the petitioner will abscond or tamper with the evidence.

Regards being had to the submission made by the parties and taking into consideration the materials on record, the fact that the petitioner is a lady having no criminal antecedent, charge sheet has already been submitted and she is in custody since 13.3.2021, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.20,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J. II,



Madhubani, in connection with Harlakhi P.S. Case No. 67
of 2021.

It is made clear that at the time of furnishing bail
bonds all the parties shall follow the guidelines regarding
social distancing.

(Anil Kumar Sinha, J)

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