

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31917 of 2021

Arising Out of PS. Case No.-76 Year-2021 Thana- RAJAOLI District- Nawada

INDU DEVI W/o Umesh Yadav R/o Village- Pahwachak, P.S.- Rajauli,
District- Nawada (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shiv Kumar Prasad

For the Opposite Party/s : Mr. Awadhesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 14-12-2021 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with
Rajauli Police Station Case No. 76 of 2021, registered for the
offences punishable under Sections 30(a)/41 of the Bihar
Prohibition and Excise Act, 2016.

The allegation, as per the First Information Report, is
that the police, on the basis of secret information that some
persons are indulged in the manufacturing of illicit liquor,
proceeded towards the place of occurrence and upon seeing the
police party, 3-4 persons fled away, however the petitioner
was apprehended by the police and from the bamboo clump, a
total quantity of 150 litres of illicit mahua liquor has been
recovered.



Learned Counsel for the petitioner submits that the petitioner is a lady, having no criminal antecedent and has falsely been implicated in this case along with her husband by the police. He next submit that the petitioner had gone for the purpose of work in the bamboo clump and she was not aware that illicit liquor was being manufactured or kept therein. He further submits that no illicit liquor has been recovered from the conscious possession and/or vehicle/premises belonging to the petitioner. He next submits that the petitioner is in custody since 14.02.2021 and charge sheet has been submitted against the petitioner and as such, there is no likelihood that the petitioner will abscond and/or tamper with the evidence.

Regards being had to the submissions advanced on behalf of the parties concerned and taking into consideration the materials available on record and the fact that the petitioner has got no criminal antecedent, no illicit liquor has been recovered from her possession, charge sheet has already been submitted and the petitioner is in custody since 14.02.2021, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, Indu Devi, 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 learned 2nd
Additional Sessions Judge -cum- Special Judge, Nawada, in
connection with Rajauli Police Station Case No. 76 of 2021.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

U	✓	T	✓
---	---	---	---

