

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31957 of 2021

Arising Out of PS. Case No.-37 Year-2021 Thana- SHANKARPUR District- Madhepura

MEENU DEVI @ MEENA KUMARI Wife of Mr. Amit Kumar Yadav
Resident of Village - Sonbarsa, P.S.- Shankarpur, District - Madhepura
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur,
Mr. Shashank Shekhar, Advocates.
For the Opposite Party/s : Mr. Mukesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 14-12-2021 Heard Mr. Ajay Kumar Thakur, learned counsel for
the petitioner and Mr. Mukesh Kumar Singh, Additional Public
Prosecutor for the State.

Petitioner seeks regular bail in connection with
Shankarpur PS Case No. 37/2021 registered for the offence
punishable under Sections 30(a) of Bihar Prohibition & Excise
Act, 2018.

As per prosecution case, total quantity of 1108.800
litres of illicit liquor have been recovered from the community
hall of the Panchayat and the petitioner has been made accused
on the basis of fact that the mother-in-law of the petitioner was
having key of the community hall.

Learned counsel for the petitioner submits that the
petitioner is a lady and is daughter-in-law of the Mukhiya of the



concerned Gram Panchayat and the key of the community hall was in possession of the mother-in-law of the petitioner due to which the petitioner has been made accused in the present case along with other family members. Learned counsel further submits that as per prevailing rule, Mukhiya and Panchayat Secretary are the custodian/caretaker of the community hall and the petitioner is not the custodian/caretaker of the community hall and the key of the community hall was with the wife of the Mukhiya i.e., mother-in-law of the petitioner.

He next submits that no illicit liquor has been recovered from the conscious possession or from the premises belonging to the petitioner and the petitioner is in custody since 17.03.2021 and charge-sheet has already been submitted in this case.

Having regard to the submissions made by the parties and taking into consideration the material on record and the fact that illicit liquor has been recovered from the community hall which may be accessible to all the villagers of the concerned Gram Panchayat and petitioner being a lady is in custody since 17.03.2021 and charge-sheet has already been submitted in this case, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, MEENU DEVI @



MEENA KUMARI 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 Additional Chief Judicial Magistrate IV, West Muzaffarpur in connection with Shankarpur PS Case No. 37/2021.

(Anil Kumar Sinha, J)

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