

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35389 of 2021

Arising Out of PS. Case No.-109 Year-2021 Thana- MIRGANJ District- Gopalganj

NILAM DEVI @ NEELAM DEVI W/o Bhola Prasad Resident of Village -
Dakshin Mohalla Mirganj, Ward No.8, P.S.- Mirganj, Distt.- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar
For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 16-12-2021 Heard the learned counsel for the petitioner
and the learned APP for the State.

The petitioner seeks regular bail in connection with Mirganj P.S.Case No. 109/2021, registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Amendment Excise Act, 2018.

The allegation is regarding recovery of 170.465 liters of illicit liquor from the house of the husband of the petitioner.

The learned counsel for the petitioner has submitted that the petitioner is innocent, she has been falsely implicated in the present case,



she is having a clean antecedent and she is languishing in custody since 28.3.2021. The learned counsel for the petitioner has further submitted that the house in question is in joint possession of the petitioner and her husband, hence, the petitioner cannot be singled out for the alleged offence.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the period of incarceration of the petitioner herein, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Mirganj P.S. Case No.



109/2021 in connection with Additional Sessions
Judge-II-cum-Special Judge (Excise), Gopalganj.

(Mohit Kumar Shah, J)

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