

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2771 of 2021**

Arising Out of PS. Case No.-159 Year-2020 Thana- DHURAIYA District- Banka

SARITA DEVI, Wife of Sudhir Singh, Resident of Village- Paway Valuwar,
P.S. - Amarpur, District - Banka.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Adv.

For the Opposite Party/s : Mr. J.N. Thakur, APP

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

2 09-03-2021 Heard both parties.

The petitioner seeks bail in Dhuraiya P.S. Case No. 159/2020, registered for the offences punishable under Sections 30(a) of the Bihar Prohibition & Excise Act, 2018.

As per prosecution case, 141.9 litres of illicit country made liquor has been recovered from a Santro Car and this petitioner was sitting on the back seat of the vehicle.

It has been submitted on behalf of the petitioner that nothing has been recovered from possession of this petitioner. Petitioner has neither concern with aforesaid vehicle nor with the recovered liquor. She was simply travelling in the said vehicle. She had no knowledge about the liquor being carried in the vehicle. Petitioner is lady. She has no criminal antecedent. Charge-sheet has already been submitted.



Petitioner is in custody since 29.06.2020.

Considering the aforesaid facts and circumstances, the petitioner, above-named, is directed to be enlarged 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 Addl. Sessions Judge II, Banka, subject to the following conditions:-

(i) The petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, her bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

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