

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46544 of 2021

Arising Out of PS. Case No.-438 Year-2021 Thana- SITAMARHI District- Sitamarhi

Samrekha Devi @ Ram Rekha Devi Wife of Nagendra Singh Resident of
Village- Bariyarpur, P.S. and District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Devendra Kumar, Advocate

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 10-12-2021 The present petition has been taken up for consideration through the mode of Video Conferencing in view of the prevailing situation on account of Covid 19 pandemic, requiring social distancing.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Sitamarhi P.S. Case No. 438 of 2021 instituted for the offences under Sections 30(a) and 36 of the Bihar Prohibition and Excise Act.

Learned counsel for the petitioner submits that the petitioner is in custody since 07.06.2021, is a person with clean antecedent and charge-sheet has been submitted in the case.

Learned counsel for the petitioner submits that allegation is of recovery of 1777.500 liters of liquor from the



house of one Nagendra Singh.

Learned counsel for the petitioner submits that petitioner is the wife of Nagendra Singh and since she was present in the house as such she was arrested and was not knowing that her husband had kept the liquor in the house. It is further submitted that the police had falsely implicated another co-accused based on the confessional statement of this petitioner, which she had never given, the confessional statement was recorded only to falsely implicate the petitioner along with other co-accused.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the fact that the petitioner is in custody since 07.06.2021, charge-sheet has been submitted in the case and the petitioner is a person with clean antecedent, let the petitioner above named be released on bail on furnishing bail bond of Rs. 5,000/- (Rupees Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-II-cum-Special Judge, Excise, Sitamarhi in connection with Sitamarhi P.S. Case No. 438 of 2021 subject to the condition as laid down under Section 437 (3) Cr.P.C.

(Satyavrat Verma, J)

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