

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1549 of 2021

Arising Out of PS. Case No.-94 Year-2020 Thana- GAURICHAK District- Patna

1. AKALI DEVI W/o Raju Pandit Resident of Village - Biraju Vigha, P.S.- Gaurichak, Distt.- Patna.
2. RAJU PANDIT Son of Shankar Pandit @ Sankar Pandit Resident of Village - Biraju Vigha, P.S.- Gaurichak, Distt.- Patna.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate
For the Opposite Party/s : Mr. Satyadeo Singh Yadav, A.P.P

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 31-08-2021 As prayed for, let the learned counsel appearing for the petitioners remove the defect(s), as pointed out by the office vide its notes dated 04.01.2021, within four weeks of starting of Court proceeding in physical mode in normal course.

Learned counsel appearing on behalf of the petitioners seeks permission to withdraw the application filed on behalf of the petitioner No.2, namely, Raju Pandit as he has already been apprehended by the Police.

In view of the above, the application filed on behalf of the petitioner No.2, namely, **Raju Pandit** is dismissed as withdrawn.

Heard learned counsel for the petitioner No.1,



namely, Akali Devi and the learned A.P.P. for the State through video conferencing.

The petitioner No.1 apprehends her arrest in connection with Gaurichak P.S. Case no. 94 of 2020, registered under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The accusation is that on receiving secret information about preparing of liquor in village-Biraju Bigha by Raju Pandit, son of Shankar Pandit @ Sankar Pandit with the help of his wife Akali Devi (Petitioner No.1), the informant along with other Police personnel reached there and on search of house of Raju Pandit, 1500 Kg Sweet (Gur), 10 Kg Mahua and a plastic gallon containing 10 Kg country made liquor recovered.

Learned counsel for the petitioner No.1, namely, Akali Devi submits that petitioner has falsely been implicated in this case being wife of Raju Pandit. Further submission is that husband of petitioner No.1 has already been apprehended by the Police and Petitioner No.1 has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the petitioner No.1 Akali Devi be released on bail, in the event of her arrest or surrender before the learned Court



below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Patna in connection with Gaurichak P.S. Case No. 94 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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