

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.2725 of 2022**

Arising Out of PS. Case No.-280 Year-2021 Thana- GAYA MUFASIL District- Gaya

1. GARIBAN MANJHI SON OF LATE BARHO MANJHI RESIDENT OF VILLAGE- PAHARTALI, P.S.- MUFFASIL, DISTRICT- GAYA
2. KALO DEVI WIFE OF LATE MOTI MANJHI RESIDENT OF VILLAGE- PAHARTALI, P.S.- MUFFASIL, DISTRICT- GAYA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Prithivi Raj Singh

For the Opposite Party/s : Mr.Sucheta Yadav

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

2      13-06-2022                      It is submitted by learned counsel for the petitioners that during pendency of this application,petitioner no. 1 has been arrested and, as such, he seeks permission to withdraw this application.

Permission is accorded.

In view of the aforesaid submission, this application is dismissed as withdrawn against petitioner no. 1.

So far as petitioner no. 2 is concerned, the instant application for anticipatory bail has been filed by petitioner Kalo Devi apprehending her arrest in connection with Muffasil P.S. Case no. 280/2021 instituted for the offence under Section 30(a), 32(2) of the Bihar Prohibition (Amendment) and Excise



Act.

Prosecution case relates to recovery of 10 litres of mahua liquor from a joint house in which petitioner Kalo Devi resides.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. She has got no criminal antecedent. The alleged recovery has been made from the joint house. Nothing has been recovered from the conscious position of the petitioner. Petitioner is a lady.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner no. 2 on bail. Petitioner Kalo Devi is directed to surrender in the Court below within a period of four weeks from today and in the event of her arrest or surrender in connection with Muffasil P.S. Case no. 280 of 2021, she will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge (Excise) Gaya subject to the conditions as laid down under



section 438(2) of the Cr.P.C.

**(Sunil Kumar Panwar, J)**

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