

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3235 of 2022

Arising Out of PS. Case No.-463 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Muzaffarpur

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SUNITA DEVI W/o Randhir Singh Resident of Village- Dahiya, P.S.-
Gaighat, Dist.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajeev Ranjan No.II

For the Opposite Party/s : Mr.Nityanand

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 26-05-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks regular bail in connection with
Excise Case No. 463 / 2021, P.R. No. 13 / 2021 instituted for
the offence under Section 30 (a) of the Bihar Prohibition and
Excise Act, 2016.

99 liters of illicit foreign liquor has allegedly been
recovered from the bush behind a hut.

Learned counsel for the petitioner submits that
petitioner has not committed any offence in the manner alleged
and she has falsely been implicated in this case by the police
with oblique motive. Learned counsel next submits that no illicit



liquor has been recovered from the conscious possession and / or premises belonging to the petitioner. Learned counsel further submits that as per prosecution illicit liquor has been recovered from the bush behind the hut of the petitioner which is an open space accessible to all and sundry. Learned counsel next submits that during search and seizure procedures prescribed under Section 100 of the Cr.P.C. and the Excise Act have not been followed. Learned counsel next submits that petitioner is a lady having no criminal antecedent, she is in custody since 21-11-2021, charge sheet has already been submitted and there is no likelihood that the petitioner will abscond or tamper with the evidence if released on bail.

Regard being to the submissions made by the parties, taking into consideration the fact that petitioner is a lady having clean antecedent, she is in custody since 21/11/2021, charge sheet has already been submitted and there is no likelihood that petitioner will abscond or tamper with the evidence, as such, I am inclined to grant regular bail to the petitioner.

Let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 20000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Spl. Judge, Excise, Muzaffarpur in



connection with Excise Case No. 463 / 2021, P.R. No. 13 / 2021.

(Anil Kumar Sinha, J)

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