

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11029 of 2022

Arising Out of PS. Case No.-880 Year-2021 Thana- AHIYAPUR District- Muzaffarpur

SITA DEVI W/o Vinod Sahni R/o village- Najirpur, P.S.- Ahiyapur, District-
Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Soni Kumari

For the Opposite Party/s : Ms.Pushpa Sinha

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 08-06-2022 Heard.

The petitioner seeks regular bail in connection with Spl. Case No. Ahiyapur 880 of 2021 arising out of Ahiyapur P.S. Case No. 880 of 2021, registered for the offence punishable under sections 272, 273 of the Indian Penal Code and sections 30(a)/36 of the Bihar Prohibition and Excise Act, 2018.

The allegation is regarding recovery of 26 liters of illicit country made liquor from an agricultural field where the petitioner and her husband were present.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case, is having a clean antecedent and is languishing in custody since 17.12.2021. The learned counsel for the petitioner has further submitted that neither the petitioner is owner of the



agricultural field in question nor the illicit liquor has been recovered from the conscious possession of the petitioner.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the parties and taking into account the materials available on record as also considering the fact that the place from where the illicit liquor has been recovered does not belong to the petitioner apart from the fact that the petitioner is having a clean antecedent, I deem it fit and proper to admit the petitioner to the privilege of regular bail.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned court of Exclusive Special Excise Court No.1, Muzaffarpur in connection with Ahiyapur P.S. Case No.880 of 2021.

(Mohit Kumar Shah, J)

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