

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16918 of 2022

Arising Out of PS. Case No.-477 Year-2021 Thana- SAHPUR District- Patna

1. Deomuni Devi, W/o Kamal Rai,
2. Madhu Devi, W/o Raju Rai,
3. Anshu Devi, W/o Rahul Rai,

All are residents of village - Ganghara, P.S. - Shahpur, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh, Advocate

For the Opposite Party/s : Mr. Ramesh Chandra, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 27-06-2022 Heard learned counsel for the petitioners and learned
APP for the State.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioners seek bail in connection with Shahpur P.S. Case No. 477 of 2021 registered for the alleged offences under Sections 30 (a), 30 (c), 32 (iii), 34, 36, 41, 56 of the Bihar Prohibition and Excise Act.

The allegation against the petitioners is that 85 litres of spirit along with chemicals and some material for making illicit liquor was recovered from the house of the

petitioners and it is further alleged that the petitioners were helping the male family members in preparation and trade of illicit liquor.

The learned counsel for the petitioners submits that the petitioners are innocent and nothing has been recovered from the conscious possession of the petitioners. The recovery was made from the community hall and the petitioners were falsely implicated in the case showing recovery from their house. Even in the FIR, though the accused persons were named as being actively involved, the petitioners were named after the police failed to apprehend the co-accused persons. The learned counsel further submits that the petitioners are illiterate ladies and they are in custody since 22.12.2021.

Learned APP has opposed the prayer for bail.

Having regard to the submissions made hereinabove and considering the fact that the petitioners are ladies and are in custody since 22.12.2021, the petitioners above named are directed to be released on bail on furnishing bail bonds of Rs. 20,000/- (twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Special Excise Judge, Danapur (Patna) in connection with Shahpur P.S. Case No. 477 of 2021, subject to the following conditions :

(i) One of the bailors will be a close relative of the petitioners.

(ii) The petitioners will remain present on each and every date fixed by the court below.

(iii) In case of absence for three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

V.K.Pandey/-

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