

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17658 of 2022

Arising Out of PS. Case No.-4 Year-2022 Thana- PATNA CITY CHOWK District- Patna

Annu Devi W/O Manoj Gop R/o village- Mansurganj, Musahari Tola, P.S.-
Malsalami, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad, Advocate
For the Opposite Party/s : Mr. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 08-07-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Chowk
P.S. Case No. 4 of 2022 registered for the offence under
Sections 30(a), 30(c), 32(2), 32(3), 34, 36 and 41(1) of Bihar
Prohibition and Excise (Amendment) Act, 2018.

The accused/petitioner is named in the F.I.R. and is in
custody since 04.01.2022.

The allegation against the petitioner is to have in
possession of 432 liters of illegal country made liquor, which
was recovered from the house of the co-accused, namely, Gopal
Yadav @ Vikky Yadav.



Learned counsel appearing on behalf of the petitioner submitted that the petitioner has been implicated in the present case, being domestic helper of co-accused, namely, Gopal Yadav @ Vikky Yadav. It is submitted that no illicit liquor recovered from the conscious physical possession of the petitioner. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and, moreover, investigation in this case is complete for which chargesheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State while opposing the prayer of bail fairly conceded that recovery is from the house of co-accused, namely, Gopal Yadav @ Vikky Yadav.

Considering the facts and circumstances as mentioned above, as nothing recovered from the physical possession of the petitioner, who is a lady coupled with the fact that chargesheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Chowk P.S. Case No. 4 of 2022 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, Patna City, subject to the following conditions:

“(i) Accused/Petitioner shall



cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner, duly supported by the documents.

(ii) That one of the bailors shall be Suraj Kumar, who is the cousin brother of the petitioner and deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

Ankit/-

U		T	
---	--	---	--

