

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25634 of 2022

Arising Out of PS. Case No.-61 Year-2022 Thana- SUPPI District- Sitamarhi

SARDA DEVI @ SHARDA DEVI W/o Late Govind Mahto Resident of
Village- Basnt Khurd, P.S.- Suppi, District- Sitamarhi.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Mishra

For the Opposite Party/s : Mr.Anand Kishore Choudhary

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 03-08-2022 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner seeks bail in connection with Suppi
P.S Case No. 61 of 2022 registered for the offences punishable
under Section 414 of Indian Penal Code read with Section 30(a)
of the Bihar Prohibition and Excise Amendment Act.

As per prosecution case, there is alleged recovery
of 131.7 litres Nepali country made Saufi liquor from the
motorcycle in question. The apprehended persons disclosed that
present petitioner and others purchased the alleged liquor for
purpose of sale.

Learned counsel for the petitioner submits that



petitioner is in custody since 04.03.2022. Petitioner bears no criminal antecedent. Charge sheet has already been submitted in the case and there is no likelihood of tampering with the prosecution evidence. Learned counsel further submits that nothing has been recovered from the possession of the petitioner. Petitioner is not apprehended on spot. Seizure list has not been made as per law. Except the confessional statement of the co-accused Anil Raut and Umakant Mahto nothing is against the petitioner to implicate her in the present case. Petitioner has no concern with the seized liquor or with the alleged motorcycle.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case as well as period of custody, petitioner is not apprehended on spot, charge-sheet has already been submitted and there is no likelihood of tampering with the prosecution evidence, keeping in view clean antecedent of the petitioner and also taking into consideration the material available on record, let the petitioner above named be released 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 Exclusive Special



Excise Court – I, Sitamarhi/concerned court in connection with
Suppi P.S. Case No. 61 of 2022, subject to following
conditions:-

(i) One of the bailors shall be either father or
mother or sister or brother or wife or the person who has sworn
the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will
remain present on all dates and absence for two consecutive
dates without appropriate permission would be a ground for
cancellation of bail by the learned Trial court itself.

(iii) If the petitioner tampers with the evidence or
the witnesses, in that case, the prosecution will be at liberty to
move for cancellation of bail.

(Alok Kumar Pandey, J)

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