

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24668 of 2022

Arising Out of PS. Case No.-67 Year-2022 Thana- AMNAUR District- Saran

Manju Devi W/o Gautam Manjhi Resident of Village- Amnour Har Narayan
Bheriya, P.S.- Amnour, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Harish Kumar, Advocate.

For the Opposite Party/s : Mr. Umeshanand Pandit, APP.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 27-07-2022 Learned counsel for the petitioner is permitted to remove defect(s), as pointed out by the office, if any, within a period of four weeks from today.

Heard Mr. Harish Kumar, learned counsel for the petitioner as well as learned Additional Public Prosecutor for the State.

The application for grant of bail to the petitioner, above named, who has been made accused and put behind the bar in connection with Amnour P. S. Case No. 67 of 2022 registered for the offences punishable under Sections 272 and 273 of the Indian Penal Code and Section 30 (a) Bihar Prohibition and Excise Act.

As per the prosecution case, it is alleged that the Police, on a secret information that the F.I.R. named accused



persons are indulged in selling illicit wine, raided the house of the petitioner and on search being made 08.19 litres foreign wine, 195 litres country-made foreign liquor was recovered. It is further alleged that the petitioner was apprehended by the police on the spot.

Learned counsel appearing on behalf of the petitioner submitted that the alleged recovery has been made from an abandoned house and moreover, there is other irregularities in preparation of the seizure list. It is further submitted that this petitioner is a lady, having no criminal antecedent and she is in custody since 10.03.2022, though the investigation of the crime is already completed and the charge-sheet has been submitted.

On the other hand, learned APP for the State opposes the bail application and submits that more than 200 litres illicit wine has been recovered from the house of the petitioner.

Having considered the submissions made on behalf of the parties and taking into account the fact that the petitioner is a lady and she is in custody since 10.03.2022, having fair antecedent and moreover, the recovery has been made from the possession of a joint family house, let the petitioner, above



named, be released on bail on furnishing bail bonds of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned 1st Exclusive Special Judge, Excise, Saran in connection with Amnor P. S. Case No. 67 of 2022, subject to the condition that one of the bailors will be the close relative of the petitioner with further conditions which are as follows:-

- (i) The petitioner will cooperate in conclusion of the trial.
- (ii) She will remain present on each and every date of trial till disposal of the case.
- (iii) She will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.
- (iv) In the event of default of two consecutive dates without any cogent reason, her bail bonds will liable to be cancelled.

(Harish Kumar, J)

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