

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.27300 of 2022**

Arising Out of PS. Case No.-78 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.  
District- Gopalganj

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MEENA DEVI @ MINA DEVI W/o Nand Kishor Bin Resident of Village-  
Hanumangadhi, Ward No. 06, P.S.- Town Gopalganj, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Pritish Ranjan  
For the Opposite Party/s : Mr.Ramesh Chandra

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**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY**  
**ORAL ORDER**

2      08-07-2022                      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 in virtual court proceeding.

The petitioner seeks bail in connection with Excise  
Case No. 78 of 2022 registered for the offences punishable  
under Section 30(a) of Bihar Prohibition and Excise  
(Amendment) Act, 2018.

As per prosecution report, there is alleged recovery  
of 720 ML foreign wine from possession of petitioner and  
altogether 25.200 litre illegal country made wine as well as  
English wine has also been recovered from two gunny bags kept  
behind the house of the petitioner and she was apprehended by



the police.

Learned counsel for the petitioner submits that petitioner is in custody since 15.03.2022 and bears criminal antecedent of two cases of similar nature in which he is on bail. Prosecution report has been submitted in the case and there is no likelihood of tampering the evidence. He further submits that no incriminating article has been recovered from conscious possession of the petitioner. Seizure list has not been made as per law.

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

Considering the facts and circumstances of the case, period of custody, prosecution report has been submitted in the case and there is no likelihood of tampering the evidence 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 Additional Sessions Judge-IV cum Special Excise Court-II, Gopalganj in connection with Excise Case No. 78 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 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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