

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39540 of 2021**

Arising Out of PS. Case No.-165 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Nawada

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USHA DEVI Wife of Naresh Chaudhari Resident of Village - Budhaul, P.S.-
Nawada, District - Nawada.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pramod Kumar Verma

For the Opposite Party/s : Ms. Shyameshwar Deyal, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 28-01-2022 Heard.

The petitioner seeks regular bail in connection with G.O. Case No. 165 of 2021, registered for the offence punishable under sections 30(a) of the Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 500 ml. of illicit chulai liquor and one liter of spirit from the house of the petitioner.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case and is languishing in custody since 01.04.2021. The



learned counsel for the petitioner has further submitted that though, the petitioner is accused in one other case, but he is on bail in the said case. It is further submitted that the house in question, from where illicit liquor has been recovered, is in joint possession of the petitioner and her family members, hence the petitioner cannot be singled out for the alleged recovery of illicit liquor.

Per contra, Mr. Shyameshwar Deyal, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the parties and taking into account the materials available on record as also considering the fact that the house in question, from which the illicit liquor has been recovered, is in joint possession of the petitioner and her family member and moreover, the petitioner is languishing in custody since a long time, I deem it fit and proper to admit the petitioner to the privilege of regular bail.



Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned court of 2nd Additional District & Sessions Judge-cum- Special Judge, Nawada in connection with G.O. Case No. 165 of 2021.

(Mohit Kumar Shah, J)

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