

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31376 of 2022

Arising Out of PS. Case No.-41 Year-2022 Thana- GANGABRIDGE District- Vaishali

SANJU DEVI W/o Surat Sah @ Surat Sah Resident of Village- Diwantok,
P.s.- Ganga Bridge, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mahendra Pratap

For the Opposite Party/s : Mr.Akbar Ali

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 08-08-2022 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 Ganga
Bridge P.S. Case No. 41/2022 (PTN No. BRVA01P0003382022)
registered for the offences punishable under Section 30(a) of the
Bihar Prohibition and Excise Act, 2018.

As per prosecution case, there is alleged recovery of
total 290 liters country made liquor from the Tempoo in
question. The petitioner was apprehended on the spot and she
disclosed the name of fled away persons.

Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this



case merely on suspicion. The petitioner was neither driver nor owner of the said Tempoo in question. The petitioner was passenger of the said Tempoo in question and nothing has been recovered from the conscious possession of the petitioner. He further submits that seizure list has not been prepared as per law. The petitioner is languishing in custody since 12.02.2022 and bears no criminal antecedent. Charge sheet has been submitted in this case and there is no likelihood of tampering with the prosecution evidence.

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

Considering the facts and circumstances of the case, period of custody, charge sheet has already been submitted and keeping in view clean antecedent of 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 No.1 cum Additional District and Sessions Judge, Vaishali at Hajipur in connection with Ganga Bridge P.S. Case No. 41/2022 (PTN No. BRVA01P0003382022), 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)

amitkumar/-

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

