

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38982 of 2022

Arising Out of PS. Case No.-104 Year-2022 Thana- BAIKUNTHPUR District- Gopalganj

1. AJAY MAHTO Son of Harindra Mahto Resident of Village - and P.S.-
Baikunthpur, Distt.- Gopalganj.
2. GULABI DEVI W/o Harendra Mahto Resident of Village - and P.S.-
Baikunthpur, Distt.- Gopalganj.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Ranjan
For the Opposite Party/s : Mrs.Madhuri Lata

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 23-09-2022 At the outset, learned counsel for the petitioners submits that petitioner no. 1 namely Ajay Mahto has been arrested and as such, he seeks permission to withdraw this petition, so far as petitioner no. 1 is concerned.

Accordingly, in respect of petitioner no. 1, this petition is dismissed as withdrawn.

Heard the matter through video conferencing.

Sole petitioner i.e. petitioner no. 2 (Gulabi Devi) apprehends her arrest in a case registered for the offence under Section 30(a)/41 of Bihar Prohibition and Excise Act.

Total 62.540 liters of foreign and country-made liquor has been recovered near the house of this petitioner and petitioner is alleged to be indulged in the business of sale/purchase of illicit liquor.



It is submitted on behalf of petitioner that nothing has been recovered from the conscious possession of the petitioner and she has got no concern with the alleged motorcycle. Petitioner has got clean antecedent.

Considering the nature of allegation and clean antecedent of petitioner, let the petitioner namely Gulabi Devi, in the event of her arrest or surrender within a period of six weeks from the date of receipt / production of copy of this order, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge II cum Special Judge, Excise, Gopalganj in connection with Baikunthpur P.S. Case No. 104 of 2022, subject to conditions as laid down under Section 438(2) of the Cr.P.C.

This application is, accordingly, disposed of.

(Prabhat Kumar Singh, J)

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