

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.40771 of 2022**

Arising Out of PS. Case No.-54 Year-2021 Thana- PHULWARIA District- Begusarai

RINA DEVI WIFE OF SRI SUSHIL RAY R/O VILLAGE- RAJWARA, P.O.  
AND P.S.- BARAUNI, DISTRICT- BEGUSARAI, PIN- 851112

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Surya Kant Singh

For the Opposite Party/s : Mr.K. Kishore (App 100)

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA  
ORAL ORDER**

2      24-08-2022                      Heard learned counsel appearing on behalf of the  
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period of  
four weeks from today.

The petitioner seeks bail in connection with Phulwaria  
P.S. Case No. 54 of 2021 registered for the offence under Sections  
414 of the Indian Penal Code and Section 30(a) of the Bihar  
Prohibition and Excise Act, 2018.

The accused/petitioner is named in the F.I.R. and is in  
custody since 04.06.2022.

The allegation against the petitioner is to be engaged in  
illegal trade of illicit liquor, where, there is recovery of 8.64 litres of  
illicit IMFL.

Learned counsel appearing on behalf of the petitioner  
submitted that name of the petitioner surfaced in the present case,



after one years for the reason that registered certificate of alleged motorcycle was found in her name. It is also submitted that, admittedly, it is not a case of recovery from conscious physical possession of the petitioner, who is a lady of clean antecedent. While concluding the argument, it has been submitted that investigation has been completed, for which, charge-sheet has already been submitted in this case, as such, there is no chance of tampering with the evidence.

Learned APP, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as admittedly recovery of illicit liquor was not made from conscious physical possession of the petitioner, who is a lady of clean antecedent coupled with the fact that charge-sheet has already been submitted, is directed to be released on bail in connection with Phulwaria P.S. Case No. 54 of 2021 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 Excise Judge, Begusarai/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

**(Chandra Shekhar Jha, J)**

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