

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52100 of 2021

Arising Out of PS. Case No.-335 Year-2021 Thana- BHORE District- Gopalganj

1. GEETA DEVI W/O HARIKESH TIWARI R/o village- Laxmipur, P.S.- Bhore, District- Gopalganj.
2. Nandani Tiwari D/o Harikesh Tiwari R/o village- Laxmipur, P.S.- Bhore, District- Gopalganj.

... .. Petitioners.

Versus

THE STATE OF BIHAR

... .. Opposite Party.

Appearance :

For the Petitioners	:	Mr. Vyas Kumar Mishra, Advocate.
For the State	:	Mr. Humayou Ahmad Khan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE A. M. BADAR
ORAL ORDER

3 09-02-2022 The applicants who are women are given out of turn hearing on the ground of death of father-in-law of the applicant no.1.

The applicants are accused in Crime No.335 of 2021 registered with Police Station-Bhorey for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2018.

The learned counsel appearing for the applicants argued that the applicants are not having any criminal antecedents and applicant no.1 is wife whereas applicant no.2 is daughter of accused Harikesh Tiwari. Being the inmates of the house of Harikesh Tiwari they are falsely implicated in the subject crime.

The learned A.P.P. opposed the application by contending that from the house in which the applicants were residing country made



liquor, 200 liters quantity, came to be seized.

I have considered the submissions so advanced and also perused the materials placed before me.

The police had received secret information that co-accused Harikesh Tiwari is doing the business of illicit liquor. His house was raided. It is alleged by the prosecution that Harikesh Tiwari managed to run away. The inmates of the house namely the present applicants so also one Munna Yadav came to be arrested from the spot.

The investigation of the subject crime is over. The applicants are women having no criminal antecedents. They are already undergoing pretrial detention from 05.08.2021. Hence, I see no reason to deny bail to the applicants. Therefore, the following orders:

(i). The application is allowed.

(ii). The applicants/accused in Crime No.335 of 2021 registered with Police Station-Bhorey for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2018, be released on bail on executing P.R. bond of Rs.10000/- (Rupees Ten Thousand) on furnishing surety of the like amount by each of them to the satisfaction of the trial court with the following conditions:

(I). The applicants should not extend any threat, promise or inducement to the persons acquainted with the facts of the accusation against them so as to dissuade them from



disclosing such facts to the Court or to any police officer.

(II). The applicants should cooperate the trial in expeditious disposal of the trial against them.

(III). The applicants should not contact the members of the prosecuting party as well as witnesses in this case in any manner till conclusion of the trial.

(IV). The applicants should not repeat commission of similar offence in future and if they are found to be involved in commission of similar offence, the State is at liberty to apply for cancellation of bail granted to the applicants in the instant case.

The applicants to remove all office objections forthwith and the Registry to issue the certified copy of this order only after removal of office objections by the applicants/accused.

(A. M. Badar, J)

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