

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51514 of 2021

Arising Out of PS. Case No.-160 Year-2021 Thana- GURUA District- Gaya

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Anita Devi W/o Rakesh Chaudhary Resident of Village - Saraiya Tarma, P.S.-
Gurua, Distt.- Gaya.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Vishwa Ranjan Choudhary, Advocate
For the Opposite Party/s : Mr.Sanjay Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 31-03-2022 Heard counsel for the parties.

The petitioner is in judicial custody since 18.7.2021 in connection with Gurua P.S. Case No. 160 of 2021 lodged on 17.7.2021 for the offence under section 30(a) of Bihar Prohibition and Excise Act, 2016 which is pending before the court of Additional Sessions Judge-II Special Judge, Excise, Gaya.

As per prosecution case, upon confidential information, on 17.7.2021 a raid was conducted by the police team when they saw a woman running away from the place. She was chased and apprehended who disclosed her name as Anita Devi, the petitioner herein. A search was made from her house and 10 litres of country made wine was recovered.



Counsel for the petitioner submits that recovery has not been made from the person of the petitioner and he further submits that the alleged recovery of 10 litres of country made wine has not been made in presence of the independent witnesses and in view of the fact that she is in jail custody since 18.7.2021 she deserves bail. The aforesaid submission of the counsel for the petitioner is accepted.

let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Sessions Judge-Iind - cum- Special Judge Excise Act, Gaya, in connection with Gurua P.S. Case No. 160 of 2021 subject to the condition that she will cooperate with the trial and will ensure her presence on each and every date. Failure to do so for two consecutive dates will result into cancellation of her bail bonds on the process initiated by State.

With the aforesaid observation, the bail application is allowed.

(Rajiv Roy, J)

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