

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44503 of 2022

Arising Out of PS. Case No.-25 Year-2022 Thana- SOHSARAI District- Nalanda

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Meena Devi Wife of Late Lala Paswan R/O Village - Chhoti Pahari, P.S.-
Sohsarai, District - Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Kishor Prasad, Advocate
For the Opposite Party/s : Ms. Renu Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 07-09-2022 Heard learned counsel appearing on behalf of the

petitioner and learned APP 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 Sohsarai
P.S. Case No. 25 of 2022 registered for the offence under
Sections 30(a), 33, 34 and 36 of the Bihar Prohibition and
Excise Act, 2018.



The accused/petitioner is named in the F.I.R. and is in custody since 23.01.2022.

The allegation against the petitioner is to involve in the illegal trading of illicit liquor, where 282 liters of country made liquor was recovered.

Learned counsel appearing on behalf of the petitioner submitted that the alleged recovery was made from the base of the mountain, as such, it cannot be said that recovery was made from the conscious physical possession of the petitioner, who is a lady. While concluding the argument, it is submitted that investigation in this case is complete for which chargesheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State opposes the prayer of bail.

In view of the facts and circumstances, as mentioned above, as recovery of illicit liquor cannot be said to be made from the conscious physical possession of the petitioner coupled with the fact that chargesheet has been submitted, let the petitioner, above named, is directed to be released on bail in connection with Sohsarai P.S. Case No. 25 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with



two sureties of the like amount each to the satisfaction of learned 4th Additional District and Sessions Judge-cum-Special Judge, Excise-II, Biharsharif, Nalanda/concerned court, subject to the conditions as laid down u/s 437 (3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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