

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47835 of 2022

Arising Out of PS. Case No.-24 Year-2022 Thana- SAHPUR District- Patna

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Ghurami Devi @ Lalita Devi, wife of Prakash Manjhi @ Deoki Manjhi,
Resident of village - Babuchak Mushahari, Police Station - Shahpur, District -
Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sachida Nand Rai, Advocate

For the Opposite Party/s : Mr.Bhanu Pratap Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 15-10-2022 Heard learned counsel for the petitioner and

learned APP for the State.

Let the defect (s), as pointed out by the office, be

removed within a period of four weeks.

In the present case, the petitioner seeks bail in

connection with Special Excise Case No. 103 of 2022 arising

out of Shahpur P.S. Case No. 24 of 2022 registered for the

alleged offences under Sections 30(a), 30(c), 34, 32(iii) and 41

of the Bihar Prohibition and Excise Act, 2016.

Allegedly, the recovery of 11 litres of country made

liquor was made from the house of this petitioner. Further,

recovery of 60 litres of country made liquor was made from the

house of one Shambhu Manjhi.



The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from her conscious possession and the petitioner was not apprehended from the spot. The house from which the recovery has been shown, is a joint family property. The petitioner has no concern with the allegedly recovered illicit liquor. The petitioner is in custody since 21.04.2022 and the charge-sheet has been submitted in this case.

Learned APP opposes the prayer for bail submitting that the petitioner is a habitual offender.

Having regard to the submissions made hereinabove and considering the fact that the petitioner was not apprehended from the spot and further considering the nature of recovery and submission of charge-sheet along with her period of custody, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise, Danapur (Patna) in connection with Special Excise Case No. 103 of 2022 arising out of Shahpur P.S. Case No. 24 of 2022 subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the



following conditions :

(i) The bail bond of the petitioner will be accepted only after framing of charge, if not already framed.

(ii) One of the bailors will be a close relative of the petitioner.

(iii) The petitioner will remain present on each and every date fixed by the court below.

(iv) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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