

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53403 of 2022

Arising Out of PS. Case No.-231 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Samastipur

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Anita Devi W/O Devendra Singh, Resident of village- Motipur, P.S.- Tajpur,
District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jitendra Narain Sinha, Advocate
For the Opposite Party/s : Mr.Mukesh Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 23-11-2022 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 Excise P.S. Case No. 231 of 2022 registered for
the alleged offences under Section 30 (a) of the Bihar
Prohibition Act and Excise Act.

As per prosecution case, police received a tip off
about huge consignment of liquor being unloaded in the house
of the petitioner. A raid was conducted at the house of the
petitioner and during search, total 485.280 litres of illicit India
made foreign liquor was recovered. The petitioner was



apprehended from the spot who named her son and other co-accused persons as the persons who brought the liquor.

The learned counsel for the petitioner submits that the petitioner is a lady and he has been falsely implicated in this case. Nothing incriminating has been recovered from the conscious possession of this petitioner and the alleged recovery is merely a plantation. The recovery was made from somewhere else but it has been fastened upon the petitioner. The petitioner has no concern with the illicit trade of liquor and she has been named at the instance of some persons being on inimical terms with her. Learned counsel further submits that the petitioner is in custody since 21.07.2022 and charge-sheet has been submitted. The petitioner is having clean antecedent.

Learned APP opposes the prayer for bail.

Having regard to the facts and circumstances and submissions made on behalf of the parties and further considering the submission of charge-sheet along with period of custody and the clean antecedent of the petitioner, 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 Court No.2, Samastipur in connection with Excise P.S.



Case No. 231 of 2022, subject to the conditions mentioned in
Section 437(3) of the Cr.P.C. and the following conditions:

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

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

(iii) 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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