

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65176 of 2021**

Arising Out of PS. Case No.-472 Year-2021 Thana- NAUBATPUR District- Patna

Reena Devi W/o Raj Kumar Singh R/o village- Motipur, P.S.- Naubatpur,
District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Samrendra Kumar Jha, Advocate

For the Opposite Party/s : Mr. Arun Kumar Pandey, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

4 24-06-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel 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
Naubatpur P.S. Case No. 472 of 2021 registered for the offence
under Sections 30(a) and 41 of Bihar Prohibition and Excise
(Amendment) Act, 2018.

The accused/petitioner is named in the F.I.R. and is in
custody since 15.09.2021.

The allegation against the petitioner is to involve in
illegal business of illicit liquor where there is recovery of 117
liters of foreign liquor from the house of the petitioner.

Learned counsel appearing on behalf of the petitioner



submitted that the recovery has not been made from the conscious physical possession of the petitioner. It has further been submitted that petitioner is a lady, who has clean antecedent. While concluding the argument, it has also been submitted that similarly situated co-accused persons have already granted bail by one of the learned Co-ordinate Bench of this Court through Cr. Misc. No. 70516 of 2021 dated 09.06.2022.

Learned APP appearing on behalf of the State while opposing the prayer of bail fairly conceded that the recovery has not been made from the conscious physical possession of the petitioner.

Considering the facts and circumstances as mentioned above, as the recovery has not been made from the conscious physical possession of the petitioner coupled with the fact that petitioner is a lady having clean antecedent, let the petitioner, above named, is directed to be released on bail in connection with Naubatpur P.S. Case No. 472 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Patna, subject to the following conditions:

“(i) Accused/Petitioner shall



cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner duly supported by the documents.

(ii) That one of the bailors shall be Ameet Kumar, who is the son of the petitioner and deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

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