

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56669 of 2022

Arising Out of PS. Case No.-89 Year-2022 Thana- CHENARI District- Rohtas

PRABHA KUER, Wife of Sanjay Pasi, R/V- Malhipur, P.S- Chenari, Dist-
Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwari, Advocate

For the Opposite Party/s : Mr. Shantanu Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 19-11-2022 Heard learned counsel for the petitioner and learned
A.P.P. 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 Chenari P.S. Case No. 89 of 2022 registered
for the alleged offences under Section 30(a) of the Bihar
Prohibition and Excise Act, 2018.

As per prosecution case, police received secret
information about preparation and selling of illicit liquor by the
petitioner. A raid was conducted and recovery of total 30 liters
of country made liquor was made from the house of the
petitioner. After seeing the police, the petitioner fled away from
the spot.



Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. There is no evidence which proves that the petitioner was involved in preparing and selling the illicit liquor. The petitioner was not apprehended from the spot and nothing incriminating has been recovered from the conscious possession of the petitioner. Charge sheet has been submitted in this case and the petitioner is in custody since 27.06.2022. The petitioner has got no criminal antecedent.

Learned APP for the State opposes the prayer for bail of the petitioner.

Having regard to the facts and circumstances and submission made on behalf of the parties and considering the fact that the petitioner is a lady and she was not apprehended from the spot and no recovery has been shown from her and also considering the submission of charge sheet along with period of custody of the petitioner and her clean antecedent, 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-1, Rohtas at Sasaram in connection with Chenari P.S. Case No. 89 of 2022, subject to the conditions mentioned in



Section 437(3) of the Code of Criminal Procedure and also 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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