

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70448 of 2021

Arising Out of PS. Case No.-411 Year-2019 Thana- RUPASPUR District- Patna

MANORMA DEVI Wife of Ganesh Bind Resident of Mohallah - Teslaal
Verma Nagar, P.S. - Rupaspur, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Singh, Advocate
For the Opposite Party/s : Mr. Umanath Mishra, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 25-02-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual court proceedings.

Let the defect(s), if any, be removed within a period of
four weeks after complete start of the physical Court.

The petitioner seeks regular bail in connection with
Special Case No. 8249 of 2019 arising out of Rupaspur P.S. Case
No. 411 of 2019 instituted for the offences under Section 30(a) of
the Bihar Prohibition and Excise Act, 2016 and Sections 20, 22
and 25 of the Narcotic Drugs and Psychotropic Substances Act,
1985.

Learned counsel for the petitioner submits that the
petitioner is in custody since 07.09.2021, charge-sheet has been
submitted, has two antecedent and is a woman.

Allegation is of total recovery of 525.44 litre of liquor
along with 500 gram Ganja and Rs.53,070/- from the hut of the



petitioner.

Learned counsel for the petitioner submits that the recovery was not made from the hut nor the petitioner was apprehended from the spot, despite the fact that the petitioner was present in her hut that itself demonstrates that the recovery was not from the place which belongs to the petitioner. Learned counsel further submits that even presuming without admitting that what has been alleged is true then the alleged recovery of Ganja is less than small quantity.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the fact that the petitioner is in custody, charge-sheet has been submitted, was not apprehended from the place of occurrence, is a woman and the alleged recovery of Ganja is less than small quantity, let the petitioner above named be released on bail 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 in connection with Special Case No. 8249 of 2019 arising out of Rupaspur P.S. Case No. 411 of 2019.

(Satyavrat Verma, J)

Kundan/-

U		T	
---	--	---	--

