

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59141 of 2022

Arising Out of PS. Case No.-310 Year-2022 Thana- DARBHANGA SADAR District-
Darbhanga

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Jivachhi Devi, W/O Ram Bilash Mahto @ Ramvilash Mahto, R/O Vill-
Karkauli, P.S- Sadar, Mabbi O.P, Distt- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Girish Chandra Jha, Advocate
For the Opposite Party/s : Mrs.Pronoti Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 16-12-2022 This petition has been taken up for out of turn

hearing on a mentioning slip being moved on behalf of the

petitioner that the husband of the petitioner has died on

15.12.2022.

Heard learned counsel for the petitioner and learned

A.P.P. for the State.

In the present case, the petitioner seeks bail in

connection with Sadar (Mabbi O.P.) P.S. Case No. 310 of 2022

registered for the alleged offences under Sections 30 (a) of the

Bihar Prohibition and Excise Act.

As per prosecution case, from a hutment in front of

the house of the petitioner, total 53.400 liters of country made

Nepali liquor was recovered and the petitioner was apprehended



while she tried to escape.

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 the conscious possession of this petitioner. She has no concern with the recovered liquor. The petitioner is in custody since 09.06.2022 and is having clean antecedent. The charge sheet has been submitted.

Learned APP opposes the prayer for bail.

Having regard to facts and circumstances and submissions made on behalf of the parties and considering the clean antecedent of the petitioner, who is a lady and further considering her period of custody along with the submission of charge sheet, she 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 Exclusive Special Judge-1 (Excise Act), Darbhanga, in connection with Sadar (Mabbi OP) P.S. Case No. 310 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)

V.K.Pandey/-

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