

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.2479 of 2023**

Arising Out of PS. Case No.-273 Year-2019 Thana- BAHERA District- Darbhanga

SHIKHA JHA Wife of Jagarnath Jha R/v- Amaithi, P.S.- Bahera, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Girish Chandra Jha, Advocate

For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**

ORAL ORDER

2      10-02-2023                      Heard learned counsel for the petitioner and learned  
APP for the State.

Let the defect(s), if any, as pointed out by the  
office, be removed within four weeks.

The petitioner is apprehending arrest in connection  
with Bahera P.S. Case No. 273 of 2019 under section 30(a),  
32(iii) and 41(i) of Bihar Prohibition and Excise Act, 2016.

As per the prosecution story, upon secret  
information, the police raided the house of the petitioner and  
recovered 25.220 liters of foreign liquor from the house and  
17.280 from the husk house.

Accordingly, the FIR.

Learned counsel for the petitioner submits that the  
entire family members has been made accused. The house



belongs to the husband, she is a housewife, nothing to do with the present case but has been dragged.

Considering the aforesaid fact that the husband is already is an accused in the case and she do not have criminal antecedent and is a lady, this Court is inclined to grant him the privilege of anticipatory bail.

Let the petitioner be released on bail, in the event of her arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Special Judge Excise Court No.II, Darbhanga, in connection with Bahera P.S. Case No. 273 of 2019 subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the conditions as follows:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall co-operate in the investigation and make herself available to the police as and when required;

(iii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of her



bail bond by the Trial Court itself;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of her bail bonds.

**(Rajiv Roy, J)**

Ravi/-

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