

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6489 of 2023

Arising Out of PS. Case No.-666 Year-2022 Thana- DIGHA District- Patna

TAREGANI DEVI WIFE OF RAMASHISH RAI R/O MOHALLA- RAMJI
CHAK NAHAR PAR, P.S.- DIGHA, DISTRICT- PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akhauri Kamal Kishore Sahay, Advocate
For the Opposite Party/s : Mrs. Asha Devi, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 02-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail, who is in custody since
08.10.2022, in connection with Special Case No. 6476 of 2022
arising out of Digha P.S. Case No. 666 of 2022, F.I.R. dated
08.10.2022 registered for the offences punishable under
Sections 30(a) of the Bihar Prohibition and Excise Act.

Recovery is of 80 litres of *Mahua* wine.

Learned counsel for the petitioner submits that the
petitioner is innocent and she has been falsely implicated in the
present case. He further submits that the allegation as alleged in
the F.I.R. is false and fabricated and it appears from the F.I.R. as
well as seizure list that nothing has been recovered from the
conscious possession of the petitioner rather recovery has been



made from the road side and the petitioner has no concern at all with the alleged recovery of illicit liquor and only on the basis of suspicion, the petitioner has been falsely implicated in the present case. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 08.10.2022.

The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner on the ground that the petitioner carries one more case other than the present one in which he is on bail.

Considering the facts and circumstances of the case, nothing has been recovered from the possession of the petitioner and he has no concern at all with the alleged recovery of illicit liquor, 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. 6476 of 2022 arising out of Digha P.S. Case No. 666 of 2022, subject to the following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and



on his absence on two consecutive dates without sufficient reason, her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed her criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Ibrar//-

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

