

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18003 of 2023

Arising Out of PS. Case No.-7 Year-2023 Thana- NAYAGAON District- Saran

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Durgawati Devi, Wife Of Brajkishor Singh R/O Village- Dumari Buzurg, P.S.-
Nayagaon, District- Saran

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Chandra Gandhi

For the Opposite Party/s : Mr. Suresh Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 10-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in anticipation of her arrest
in a case registered for the offences punishable under Section
30(a) of the Excise Act, 2018.

The learned counsel for the petitioner submits that the
petitioner is a woman and has antecedent of one case and the
allegation is of recovery of 20 litre of liquor from a place
outside the newly constructed house of the petitioner.

The learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from her conscious possession. It is next submitted
that she came to be implicated based on her antecedent, when
admittedly the recovery is from a place, which is accessible to



public at large and does not belong to the petitioner.

Learned A.P.P. opposes the bail application.

Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of her arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on her furnishing bail-bonds in the sum of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned 2nd Exclusive Special Excise Court, Saran at Chapra in connection with Nayagaon P. S. Case No.07 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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