

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21103 of 2023

Arising Out of PS. Case No.-46 Year-2023 Thana- DUMARIAGHAT District- East
Champaran

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Mala Devi, Son Of Binod Ram Resident Of Village- Sarotar, Ps-
Dumariyaghat, Distt- East Champaran

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar Srivastava
For the Opposite Party/s : Mr. Sucheta Yadav

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 15-05-2023 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.

The learned counsel for the petitioner submits that the
petitioner has antecedent of two cases and the allegation is of
recovery of 03 litre of liquor from the 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 his conscious possession. It is next submitted
that even the house is a joint family property, as such, it cannot
be alleged with certainty that it was petitioner, who had kept the



liquor in the house or the liquor was kept in the house within the knowledge of the petitioner. It is next submitted that petitioner because of his antecedent came to be implicated by the police.

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. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Court No.2, East Champaran, Motihari in connection with Dumariya Ghat P. S. Case No.46 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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