

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42113 of 2023

Arising Out of PS. Case No.-488 Year-2023 Thana- BARACHATTI District- Gaya

PHULWA DEVI @ MALTI DEVI SON OF LATE GAUTAM MANJHI
RESIDENT OF VILLAGE- BHAWANI BIGHA, PS- BARACHATTI,
(MOHANPUR OP) DISTT- GAYA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kunwar Narayan Jamuar

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 14-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case
instituted for the offence under Section 30(a) of the Bihar
Prohibition and Excise Act.

As per prosecution case, there has been recovery of 30
liters of illegal country-made *Mahua* liquor from the house of
the petitioner.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. She has
committed no offence. He submitted that the petitioner along
with other family members were residing in the dwelling house
from where the recovery has been made. The provision of



Section 100 of the Cr.P.C., has not followed in this case, while preparing the seizure list. Petitioner has no criminal antecedent as stated in para-3 of the bail petition. She is languishing in judicial custody since 24.05.2023.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Court concerned in connection with Barachatti P.S. Case No. 488 of 2023.

(Sunil Kumar Panwar, J)

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