

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45525 of 2023

Arising Out of PS. Case No.-37 Year-2023 Thana- SARMERA District- Nalanda

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Fulkumari Devi, Wife Of Guddu Kumar Vill Sondiha, Ps- Sarmera, Dist-
Nalanda

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Satya Prakash

For the Opposite Party/s : Mr.Akbar Ali

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 20-07-2023 1. Heard learned counsel for the petitioner and learned
APP for the State.
2. 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.
3. The learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and the allegation is of
recovery of 12 litres of liquor from the asbestos house of the
petitioner.
4. The learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from her conscious possession and she came to be
implicated at the instance of nearby people, but then, the F.I.R. does
not disclose the name of the person, who disclosed the name of the
petitioner. The learned counsel next submits that even the alleged



recovery is from a place which is a joint family property and as such, it cannot be alleged with certainty that it was the petitioner, who had kept the liquor in the house or the liquor kept in the house was within her knowledge. It is further submitted that at times the male members keep liquor and female, being part of the house, are also implicated in a mechanical manner.

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

6. 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. 1,000/- (Rupees One Thousand) with two sureties of the like amount each to the satisfaction of the learned IVth Additional District & Sessions Judge-cum- Special Judge, Excise-IIInd, Nalanda at Biharsharif in connection with Sarmera P. S. Case No.37 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

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