

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48809 of 2023

Arising Out of PS. Case No.-63 Year-2022 Thana- NAANPUR District- Sitamarhi

NIRMALA DEVI @ SHAIL DEVI W/o Shobhit Ray R/o Village-Sater, Ward
No. 5, (Bokhara), P.S.-Nanpur, District-Sitamarhi

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Murari, Advocate
For the Opposite Party/s : Ms. Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 16-08-2023

1. Heard learned counsel for the parties.

2. The petitioner in this application prays for bail apprehending her arrest in connection with Nanpur P.S. Case no.63 of 2022 registered for the offence punishable under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, on the basis of a secret information having been received about the petitioner being involved in the manufacture and sale of liquor, it is stated that the house of the petitioner was raided and 10 litres of country liquor was recovered.

4. Learned counsel for the petitioner submits that the petitioner, who is a lady, has been falsely implicated in the case for oblique reasons. She has no criminal antecedent. Referring to the F.I.R., it is submitted that the allegation of the



police personnel, not being able to catch hold of the petitioner, who managed to flee away, is preposterous. Further, referring to the order of the learned trial Court, it is submitted that inspite of several adjournments having been granted to the learned Special P.P. with regard to ascertaining the criminal antecedent of the petitioner, no antecedents were found.

5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation in the F.I.R., the petitioner being a lady and not having any criminal antecedent, it is directed that the petitioner, above named, in the event of her arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Nanpur P.S. Case no.63 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court-II, Sitamarhi.

(Partha Sarthy, J)

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