

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.52777 of 2023**

Arising Out of PS. Case No.-104 Year-2023 Thana- PAKRIDAYAL District- East Champaran

Siya Devi W/O Shambhu Manjhi R/O Village- Harakhbara Tola- Divnibari,  
P.S- Pakridayal, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Vijay Shankar Shrivastava, Adv.

For the Opposite Party/s : Ms.Suman Kumari Singh, APP

**CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR**  
**ORAL ORDER**

2      19-08-2023                      Heard Mr. Vijay Shankar Shrivastava, learned counsel  
  
appearing on behalf of the petitioner and learned Additional  
  
Public Prosecutor for the State.

2. The petitioner apprehends her arrest in connection  
with Pakridayal P.S. Case No. 104 of 2023, registered for the  
offences punishable under Sections 272,273 of the Indian Penal  
Code and Section 30(a) Bihar Prohibition and Excise Act.

3. Allegedly, in course of search, the petitioner who  
was carrying a gallon containing illicit wine succeeded in  
fleeing away after throwing it in front of her house.

4. Learned counsel appearing on behalf of the  
petitioner submits that save and except the disclosure made by  
the local villagers and Chowkidar there is no material  
suggesting the complicity of the petitioner in the present crime,



apart from the fact that from narrations of the FIR it would appear that similar kind of allegation has been levelled against all the FIR named accused persons who were subjected to so-called raid by the police. He further submits that the alleged recovery has been made outside the house of the petitioner which is accessible to all and for which the petitioner cannot be held responsible. That apart, the petitioner is a hapless lady having fair antecedent.

5. On the other hand, learned counsel for the State opposed the bail application.

6. Regard being had to the submissions made on behalf of the parties and considering the nature of allegation and the fact that the alleged recovery has been made from a place which is easily accessible to all and the petitioner is a lady having fair antecedent, let the petitioner abovenamed be released on bail, in the event of her arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Court No. 2, East Champaran at Motihari in connection with Pakridayal P.S. Case No. 104 of 2023, subject to the



conditions laid down in Section 438(2) Cr.P.C. with the further condition that one of the bailors shall be the own/close family members of the petitioner.

**(Harish Kumar, J)**

Anjani/-

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