

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52536 of 2022

Arising Out of PS. Case No.-4 Year-2022 Thana- PATNA CITY CHOWK District- Patna

1. RESHMA DEVI Wife of Vijay Yadav Resident of Village - Morcha Road, P.S.- Chowk, District - Patna.
2. Punam Devi @ Punam Kumari Daughter of Vijay Yadav Resident of Village - Morcha Road, P.S.- Chowk, District - Patna.
3. Chhuni Kumari @ Rita Kumari @ Bonei Daughter of Vijay Yadav Resident of Village - Morcha Road, P.S.- Chowk, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad
For the Opposite Party/s : Mr. Arun Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 21-04-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 30 (a), 30(c), 32(2), 32(3), 34, 36 and 41(1) of the Bihar Prohibition and Excise Amendment Act, 2018.

Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. He submits that there is no recovery from the conscious possession of the petitioners rather 432 liters of country made liquor is said to have recovered from the house of Vikky Yadav. He submits that on the basis of confessional statement of the



apprehended person, petitioners have been made accused in the present case. Petitioner no. 1 is mother and petitioners no. 2 and 3 are sister of co-accused Vikky Yadav @ Gopal Yadav. He further submits that petitioners have no criminal antecedent as stated in para-3 of the bail application.

Petitioner is agreed to deposit a sum of Rs.20,000/- (Rupees Twenty Thousand) **each** in Bihar State Bar Council Welfare Fund, Patna, bearing Account No.31861041899, IFSC Code: SBIN0010340, State Bank of India, High Court Campus, Patna.

Having regard to the facts and circumstances of the case and the fact that there is nothing recovered from the conscious possession of the petitioners, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Chowk P.S. Case No.04 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C., subject to the further conditions that:



(1) That one of the bailors will be a close relative of the petitioners, who will give an affidavit giving genealogy as to who he is related with the petitioners. He will also undertake to inform the Court if there is any change in the address of the petitioners.

(2) That the bailor shall also stated on affidavit that he will inform the Court concerned if the petitioners are implicated in any other case of similar nature after their release in the present case and thereafter the Court below will be at liberty to initiate proceeding for cancellation of bail on the ground of misuse.

The bail bond of the petitioners shall be accepted by the learned Court below on showing receipt of deposit of the aforesaid amount in the account of Bihar State Bar Council Welfare Fund, Patna.

(Anjani Kumar Sharan, J)

anand/-

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