

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.57262 of 2023**

Arising Out of PS. Case No.-369 Year-2023 Thana- PATNA CITY CHOWK District- Patna

Suman Devi W/O Jaykant Rai R/O Village- Baghlodan Gali, P.S- Chowk,  
District - Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner/s : Mr. Jay Ram Prasad, Advocate

For the Opposite Party/s : Mr. Rina Sinha, APP

**CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA**  
**ORAL ORDER**

2      31-08-2023                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

2.The petitioner apprehend her arrest in connection  
with Chowk P.S. Case No. 369 of 2023 registered for the  
offence punishable under Section 30(a) of Bihar Prohibition and  
Excise Act.

3. As per prosecution case, there is recovery of 300  
litres country made liquor from two Scooty.

4. Learned counsel for the petitioner submits that  
petitioner is innocent and has committed no offence and has  
falsely been implicated in this case. It is submitted that the  
recovery has not been made from the conscious possession of  
the petitioner, she has neither the owner of the scooty nor the  
rider of the seized scooty. She was not present at the place of



recovery nor the seized prohibited liquor belongs to the petitioner. The petitioner has two criminal antecedent in which she is on bail in one case.

5. The learned A.P.P. for the State opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case, let the petitioner above named be released on bail, in the event of her arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount to the satisfaction of learned Special Judge Excise, Patna City in connection with Chowk P.S. Case No. 369 of 2023, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure, 1973.

**(Sunil Dutta Mishra, J)**

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