

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56737 of 2023

Arising Out of PS. Case No.-270 Year-2023 Thana- ATRI District- Gaya

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RITA DEVI W/o Dinesh Chaudhary R/o vill - Gehuni, P.S. - Atri, Distt. -
Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Sinha

For the Opposite Party/s : Mr.Ajay Kumar No. 2

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 30-08-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor appearing on behalf of the State.

2. The petitioner seeks regular bail in connection with
Atri P.S. Case No. 270 of 2023, registered for the offence
punishable under Sections 30(a) of the Bihar Prohibition and
Excise Amendment Act, 2018.

3. As per prosecution, 8 litres of illicit Mahua liquor
has been recovered.

4. Learned counsel for the petitioner submits that the
petitioner is innocent no incriminating material has been
recovered from the possession of the petitioner and she is in
custody since 10.06.2023.

5. Learned APP has vehemently opposed the prayer
for bail.



6. Considering the aforesaid fact, this application is allowed.

7. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No. 1, Gaya in connection with Atri P.S. Case No. 270 of 2023.

8. The Additional Sessions Judge-cum-Exclusive Special Excise Court No. 1, Gaya is directed to consider the bail application in excise act matters more liberally in cases of recovery of small quantity of illicit liquor and in cases of consumption of liquor. He should not burden this Court with such petty matters.

9. Let a copy of this order be communicated to the District Judge, Gaya for its forthwith compliance.

(Sandeep Kumar, J)

Ranjeet/-

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