

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60266 of 2023

Arising Out of PS. Case No.-766 Year-2023 Thana- GOVERNMENT OFFICIAL COMP.
District- Nalanda

SHARDA KUMARI WIFE OF MITHILESH PRASAD RESIDENT OF
VILLAGE- NARSALIGANJ, PS- BIHAR, DIST- NALANDA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chhote Lal Mishra, Advocate
Mr. Gaurav Kumar, Advocate

For the Opposite Party/s : Ms. Jyoti Prasad, Advocate
Mr. Shyam Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 08-09-2023 Heard learned counsel appearing on behalf
of the parties.

2. The petitioner seeks bail in connection with Excise P.S. Case No. 766 of 2023 (District-Nalanda) registered for the offence under Sections 30(a) and 32 of the Bihar Prohibition and Excise Act, 2018.

3. The accused/petitioner is named in the F.I.R. and is in custody since 27.07.2023.

4. The allegation against the petitioner is to be engaged in illegal trade of illicit liquor, where, there is recovery of 277.500 litres of illicit liquor.

5. Learned counsel appearing on behalf of the petitioner submitted that alleged recovery of illicit liquor was



made from local factory, where, petitioner used to work as labour. It is submitted that no recovery as alleged was made from conscious physical possession of this petitioner, who is lady of criminal antecedent.

6. Learned APP appearing on behalf of the State, opposes the prayer of bail.

7. Considering the facts and circumstances as mentioned above, as alleged recovery of illicit liquor not appears to be made from conscious physical possession of this petitioner, who is a lady of clean antecedent, where, petitioner is in custody since 27.07.2023, let the petitioner, above named, is directed to be released on bail in connection with Excise P.S. Case No. 766 of 2023 (District-Nalanda) on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise-II, Nalanda at Biharsarif/concerned court, subject to the condition as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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