

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59629 of 2023

Arising Out of PS. Case No.-517 Year-2023 Thana- FATEHPUR District- Gaya

Karuna Devi Wife Of Late Kapildeo Prasad Yadav Resident Of Village-
Hardat Bigha, Ps- Fatehpur, Distt- Gaya

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aryan Singh

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 08-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under section 30(a) of the Bihar Prohibition and Excise Act.

3. As per FIR, prosecution case relates to recovery of total 50 liters country made liquor from house of co-accused Pawan Kumar.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. She has falsely been implicated in this present case. She has got no criminal antecedent as stated in para-3 of the bail petition. Petitioner is mother of the co-accused Pawan Kumar who is alleged to have indulged in trade of liquor



and she has no concern with the alleged recovery of illicit liquor. No any incriminating article has been recovered from conscious possession of the petitioner. It is further submitted that the seizure list witness are police officials, not a single independent witness which violates section 100 of Cr.P.C. Moreover, the petitioner is languishing in judicial custody since 16.7.2023.

5. Learned APP appearing for the State has vehemently opposed the prayer of Bail.

6. Having heard learned counsel for the parties and considering the fact that the petitioner being a lady as well as her custody period, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Fatehpur P.S. Case No. 517 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Excise Court No.1, Gaya.

(Sunil Kumar Panwar, J)

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