

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60001 of 2023

Arising Out of PS. Case No.-530 Year-2023 Thana- GAYA MUFASIL District- Gaya

KUNTI DEVI wife of Dhobhi Saw @ Rajesh Saw Village- Gere, Dhankutti
Ps- Mufassil Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Promad Kumar Singh
For the Opposite Party/s : Mr.Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 14-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

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

3. As per prosecution case, there has been recovery of
39.5 liters of illegal foreign liquor from the house of the
petitioner.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. She has
committed no offence. Petitioner has not apprehended on spot.
He submitted that the petitioner has no concern with the seized
wine rather where the recovery has been made is a joint
property of petitioner and her *Gotani* and others are living in



that house. The provision of Section 100 of the Cr.P.C. has not followed in this case. No incriminating article has been recovered from the conscious possession of the petitioner. He is languishing in judicial custody since 08.08.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, petitioner being a lady as well as period of custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Court below in connection with Gaya Muffasil P.S. Case No. 530 of 2023.

(Sunil Kumar Panwar, J)

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