

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63978 of 2022

Arising Out of PS. Case No.-214 Year-2022 Thana- BENIPATTI District- Madhubani

PAVITRI DEVI, Wife of Late Kalamveer Mahto, R/v- Pirokha, P.S.- Gayghat,
District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sada Nand Roy, Advocate

For the Opposite Party/s : Ms.Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 20-01-2023 Today being Friday, matters are being taken up through
virtual mode, as per current procedure for hearing.

Heard learned counsel for the petitioner and the learned
APP for the State.

The petitioner seeks bail in connection with Benipatti P.S.
Case No. 214 of 2022 registered for the offence punishable under
Sections 272, 273 and 34 of the Indian Penal Code and Section 30(a)
of the Bihar Prohibition and Excise Act, 2016.

Since 06.08.2022 petitioner is stated to be in custody. The
allegation is that the petitioner along with driver was seated in the
tempo from which there is alleged recovery of 360 litres of illicit
liquor.

Learned counsel for the petitioner submits that having no
antecedent, petitioner has been implicated merely for the fact that she
has taken a lift in the vehicle. The recovery is denied and disputed
and is stated to be not in accordance with law.



Learned APP for the State has opposed the prayer for bail.

Having regard to the manner of recovery, the submissions advanced by the parties, period of custody and the fact that investigation is complete, this Court is inclined to allow the petitioner's prayer for bail.

Prayer for bail of the petitioner is allowed.

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 Additional Sessions Judge-II-cum-Special Excise Act, Madhubani, in connection with Benipatti P. S. Case No. 214 of 2022, subject to the following conditions:-

- (i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.
- (ii) That the petitioner will be well represented on each date and if she fails to do so on two consecutive dates, her bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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