

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65758 of 2023

Arising Out of PS. Case No.-239 Year-2023 Thana- KUSHESHWARASTHAN District-
Darbhanga

MUNNI DEVI wife of Late Satyanarayan Paswan R/o- Mohim Bujurg Ps-
Kusheshwar Asthan Dist- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saurav Anand, Advocate
For the Opposite Party/s : Mr. Anil Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 08-12-2023 Heard Ms. Chaya Rai, learned counsel for the
petitioner and the State.

2. The petitioner is apprehending arrest in connection with K. Asthan P.S. Case No. 239 of 2023 instituted under Sections 30(a) and 30(c) of the Bihar Prohibition and Excise Act, on 12.07.2023 by the informant, Manoj Kumar Sharma.

3. As per the prosecution story, the police during patrolling reached Sati Ghat and came to know about selling/manufacturing of liquor by the accused persons. Accordingly, the police reached at the place of occurrence, the accused persons escaped. The locals gave their names which include the petitioner (herein). Total 50 liters of country made liquor along with two gas cylinders and other items relating to



manufacturing of liquor recovered/seized. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that she has nothing to do with the alleged seizure, the locals due to enmity have named her, she does not have any criminal antecedent. Further, similar place two accused persons have been granted bail in Cr. Misc. No. 54826 of 2023 by a coordinate bench of this Court.

5. Learned APP opposes the prayer.

6. Taking into account the aforesaid facts as also the fact that she is a lady and do not have any criminal antecedent, this Court is inclined to extend her the privilege of anticipatory bail.

7. Let the petitioner be released on bail, in the event of her arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each in connection with K. Asthan P.S. Case No. 239 of 2023 to the satisfaction of learned Exclusive Special Judge-II subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;



(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of her bail bond by the Trial Court itself;

(iii) the petitioner shall co-operate in the investigation and make herself available to the police as and when required;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of her bail bonds.

(Rajiv Roy, J)

Jagdish/Adnan

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