

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66945 of 2023

Arising Out of PS. Case No.-106 Year-2023 Thana- SAHJAHANPUR District- Patna

Runa Devi, female aged about 22 years wife Of Sonu Manjhi, resident of
village - Nurichak, P.S. - Shahjahanpur, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvnendra Kumar Thakur, Advocate

For the Opposite Party/s : Mr. Kanhaiya Kishore, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 19-10-2023 Heard Mr. Arvnendra Kumar Thakur, learned counsel
appearing on behalf of the petitioner and Mr. Kanhaiya Kishore,
learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Shahjahanpur P.S Case No. 106 of 2023 registered for the
offence punishable under Section 30 (a) of the Bihar Prohibition
and Excise Act as amended up-to-date.

3. Allegation is of recovery of 10 litres country made
liquor from a house.

4. Learned counsel appearing on behalf of the
petitioner submitted that petitioner is innocent and has falsely
been implicated in the present case. Nothing has been recovered
from the conscious possession of the petitioner. Petitioner has
no concern with the alleged seized liquor and the house from



which 10 litres of country made liquor was recovered. Petitioner is not involved either in manufacturing or in trade of illicit liquor, which is prohibited in the State of Bihar. Petitioner has clean antecedent. On these grounds, petitioner seeks to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the nature of allegation made in the FIR against the petitioner, as well as, the fact that petitioner has no concern with the house from which 10 litres of country made liquor was recovered. Petitioner is not involved either in manufacturing or in trade of illicit liquor, which is prohibited in the State of Bihar. Petitioner has clean antecedent. I am of the opinion that petitioner has, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of her arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Court of Excise, Patna City, District - Patna, in connection with Shahjahanpur P.S Case



No. 106 of 2023, subject to the condition as laid down under
Section 438(2) of the Cr.P.C.

8. The Court below is directed to verify the
criminal antecedent of the petitioner as stated in paragraph
no. 3 of the bail application. If any other case is pending
against the petitioner as what has been stated in paragraph
no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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