

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66941 of 2022

Arising Out of PS. Case No.-381 Year-2022 Thana- BEUR District- Patna

1. ARTI KUMARI, D/O Late Toni Manjhi, R/O Bhelwara, P.S.- Gopalpur, District- Patna A/P Hasanpur Musahri In The House Of Maternal Grand Father Satyanarayan Manjhi, P.S.- Beur, District- Patna
2. SKHIYA DEVI @ SUKHIYA DEVI, Wife Of Late Toni Manjhi, R/O Bhelwara, P.S.- Gopalpur, District- Patna A/P Hasanpur Musahri In The House Of Father Satyanarayan Manjhi, P.S.- Beur, District- Patna
3. RADHA DEVI, Wife Of Narayan Manjhi, R/O Hasanpur Musahari, P.S.- Beur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Jiban Pd. Singh, Advocate
For the Opposite Party/s : Mr.Sanjay Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 03-02-2023 Today being Friday, matters are being taken up through virtual mode, as per current procedure for hearing.

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

The petitioners seek bail in connection with Beur P.S. Case No. 381 of 2022 registered for the offence punishable under Sections 30(a) and 37 of the Bihar Prohibition and Excise Act and Sections 25(1-B)a, 26 and 35 of the Arms Act.

The petitioners were allegedly indulging in trade of illicit liquor from the *Aanganwadi Kendr.*

Learned counsel for the petitioners submits that from the seizure memo it is obvious that recovery is from the *Aanganwadi Kendr.* There is no recovery from the petitioners' possession. They



are females and have been implicated in this case on extraneous considerations. Petitioners are having clean antecedents. They are in custody now since 07.08.2022. Co-accused Shankar Roy has been allowed bail in *Cr. Misc. No. 65347 of 2022*. Moreover, investigation is also complete. 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.

Considering the rival submissions, manner in which recovery has been alleged, clean antecedent of the petitioners, period of custody and the fact that investigation is complete, this Court, for the purposes of grant of bail, is inclined to accept the submissions advanced by the petitioners' counsel.

Prayer for bail of the petitioners is allowed.

Let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge Excise, Patna, in connection with Beur P. S. Case No. 381 of 2022, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioners who will give an affidavit giving genealogy as to how he is related with the petitioners. The bailor will also undertake to inform the Court if there is any change in the address of the petitioners.

(ii) That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail bond will be liable to be cancelled.

This Court would expect that the petitioners' counsel would honour his undertaking in the instant proceedings regarding



supply of the requisite court fee etc. within two weeks from the date
he is called upon to do so by the office.

(Madhuresh Prasad, J)

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