

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.70002 of 2023**

Arising Out of PS. Case No.-267 Year-2023 Thana- BARUN District- Aurangabad

Manju Devi wife of Doma Choudhari @ Doman Choudhari Village-  
Keshavpur Ps- Barun Dist- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Ms. Rupa Kumari, Advocate

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap, APP

**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA**

ORAL ORDER

2      07-11-2023      Heard learned counsel for the petitioner and learned  
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Barun P.S. Case No. 267 of 2023 registered on 14.06.2023 for the alleged offences under Sections 30(a)/30(c) of Bihar Prohibition and Excise Act, 2018 (Amended)

3. As per the prosecution case, police received secret information about petitioner is preparing country made *Mahua* liquor at certain identified place. A raid was conducted and informant saw a lady fleeing away from the spot. The area was searched and apart from huge quantity of raw material for manufacturer of illicit liquor, 30 liter of *Mahua* country made liquor was recovered and seized. The raw material was destroyed.

4. The learned counsel for the petitioner submits that



petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from the possession of the petitioner. The alleged recovery has been made from the bank of river which is public place, Petitioner is not concerned either with the said recovery or with the place from where has been made. The petitioner is in custody since 20.08.2023. Petitioner has got one criminal antecedent and she is on bail.

5. Learned APP opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that no recovery has been shown from the petitioner and she was not apprehended from the spot, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Court No.1, Aurangabad, Bihar in connection with Barun P.S. Case No. 267 of 2023, subject to the conditions mentioned in Section 437(3) of the Cr.P.C. and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.



(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

**(Arun Kumar Jha, J)**

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