

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68499 of 2022

Arising Out of PS. Case No.-293 Year-2022 Thana- AMNAUR District- Saran

1. Janki Devi Wife of Paspati Kushwaha R/v- Amnour Harnagar, P.S.- Amnour, District- Saran at Chapra
2. Shobha Devi Wife of Kishan Kumar R/v- Amnour Harnagar, P.S.- Amnour, District- Saran at Chapra

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Radha Mohan Singh, Adv.

For the Opposite Party/s : Mr.Lakshmi Kant Sharma, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 10-02-2023 Heard learned counsel for the petitioners and learned Additional Public Prosecutor appearing for the State of Bihar.

The petitioners seek bail in connection with Amnour PS Case No. 293 of 2022 registered for the offence punishable under Sections 30 and 30(a) of the Bihar Prohibition and Excise Act, 2018.

250 liters illicit country made liquor stored in different containers has been recovered from the house of husband of petitioner No.1, as per seizure memo.

Learned counsel for the petitioners submits that two petitioners, who are female members of the family, have been arrested as they were not aware of the liquor being kept in the house, when the police came to the place. In fact, there was no liquor, as per petitioners' knowledge and the implication is false. It is submitted that investigation is complete.

The petitioner are in custody since 13-10-2022, though they have no antecedents.



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

Considering the rival submissions, period of custody, clean antecedent as also 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 the learned Additional District and Sessions Judge-II-cum- I Exclusive Special Judge Excise, Saran at Chapra, in connection with Amnour PS Case No. 293 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.

(Madhuresh Prasad, J)

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