

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72156 of 2023

Arising Out of PS. Case No.-516 Year-2023 Thana- SHAHPUR PATORI District- Samastipur

Asha Devi Wife Of Late Heera Prasad Resident Of North Dumri, P.S. - Patori
(Mohanpur Op), Samastipur, Bihar - 848506

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Piyush Kumar Pandey

For the Opposite Party/s : Mr.Parmanand Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 09-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Section 30(a) of the Bihar
Prohibition and Excise Act.

3. As per prosecution case, there has been recovery of
195.84 liters of illegal foreign liquor from a room which was
adjacent to the house of the petitioner.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. She has
committed no offence. He submitted that the petitioner has no
concern with the seized wine in question and the place of
occurrence does not belongs to the petitioner. No incriminating
article has been recovered from the conscious possession of the



petitioner. The provision of the Section 100 of the Cr.P.C. has not been followed in this case, while preparing the seizure list. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. She is languishing in judicial custody since 11.08.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as, being a lady as well as period of custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise-2, Samastipur in connection with Shahpur Patori P.S. Case No. 516 of 2023.

(Sunil Kumar Panwar, J)

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