

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7093 of 2024

Arising Out of PS. Case No.-418 Year-2023 Thana- KHAIRA District- Saran

DURGAWATI DEVI Wife of Megh Nath Mahto Resident of Village-Khaira,
Police Station-Khaira, District-Saran, Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Yadav, Advocate

For the Opposite Party/s : Mr.Gauri Shankar Gupta, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 13-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Khaira P.S. case No.
418 of 2023 instituted for the offences under Section 30(a) of
the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that on getting
information about selling illicit liquor, the police reached the
place and recovered 5 liters wine from the orchard.

4. Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in the present case. It is
alleged that 5 liters wine is recovered in this case. The petitioner
is a lady. The petitioner has got no concerned with the alleged
recovery of liquor. No incriminating article has been recovered



from the conscious possession of the petitioner. The petitioner is in custody since 02.12.2023 and has got no criminal antecedent. There is no compliance of Section 100 of Cr.P.C.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, recovery of small quantity of liquor and the petitioner having no criminal antecedent, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Khaira P.S. case No. 418 of 2023.

(Rudra Prakash Mishra, J)

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