

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16528 of 2024

Arising Out of PS. Case No.-349 Year-2023 Thana- TARAIYA District- Saran

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Kismati Devi S/o- Mahesh Manjhi Village- Kharati Ps- Taraiya Dist- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajani Kumari

For the Opposite Party/s : Mr.Nagendra Prasad

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CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 11-03-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner is in custody in connection with Taraiya P.S Case No. 349 of 2023 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 325, 183, 427, 188, 189, 353, 333, 307, 356, 354 (b) of I.P.C and 30(a), 32 (3) 45 of the Bihar Prohibition and Excise Act.

3. As per prosecution case, total 40 litre of spirit was recovered from the petitioner.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. It is further submitted that no incriminating article has been



recovered from the conscious possession of the petitioner. It is next submitted in similarly situated condition one of the co-accused have been granted bail by this Court *vide* order dated 12.02.2024 passed in Cr. Misc. No. 7544 of 2024. It is also submitted that petitioner is a lady and she is in judicial custody since 28.10.2023.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. On perusal of the FIR, impugned order and period of custody and also considering the aforesaid facts and circumstances of the case and submissions made on behalf of the petitioner, let the above named 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 learned III Special Judge Excise, Saran at Chapra in connection with Taraiya P.S Case No. 349 of 2023.

(Ramesh Chand Malviya, J)

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