

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22373 of 2024

Arising Out of PS. Case No.-78 Year-2023 Thana- BAHADURPUR District- Patna

RAMKALI DEVI @ RAM KALIYA DEVI, FEMALE, AGED ABOUT 40
YEARS, W/O- LATE RAJU MANJHI R/O- MOHALLA- BAHADURPUR
MUSAHARI, P.S.- BAHADURPUR, DIST.- PATNA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binay Kumar Singh

For the Opposite Party/s : Mr.Ajay Kumar No. 2

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 20-03-2024 Heard learned counsel appearing on behalf
of the parties.

2. The petitioner seeks bail in connection with
Bahadurpur P.S. Case No.78 of 2023 registered for the offence
under Sections 30(a) and 32(1)(2) of the Bihar Prohibition and
Excise Act.

3. As per FIR, there is recovery of 288 litre of
illicit liquor from a car bearing registration no.BR1AP9033.

4. Learned counsel appearing on behalf of the
petitioner has submitted that petitioner has falsely been
implicated in the present case, where, petitioner was not arrested
on spot. It is submitted that recovery of alleged illicit liquor was
not made from conscious physical possession of the petitioner



rather the same was recovered from a pickup van. It is further submitted that the petitioner has no concern with the alleged recovery of illicit liquor as well as vehicle in question. It is submitted that seizure list appears doubtful being not supported by independent witnesses, rather by police personnels. It is further submitted that petitioner being a lady is in custody since 22.12.2023.

5. Learned APP appearing for the State, opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances and submissions made on behalf of the petitioner, let the petitioner, above named, is directed to be released on bail, ***after framing of the charge***, in connection with Bahadurpur P.S. Case No.78 of 2023 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise, Patna City.

7. The trial court is directed to conclude the proceeding of framing of charge according to law within a period of 15 (fifteen) days from the date of receipt of a copy of this order. However, it is made clear that ***if the charge-sheet has not been submitted*** then the above named petitioner shall be released on bail on furnishing bail bond with further condition



that the petitioner have to present physically on each and every date before the Trial Court till conclusion of the proceeding of framing of charge.

(Ramesh Chand Malviya, J)

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