

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33044 of 2024

Arising Out of PS. Case No.-285 Year-2023 Thana- AKHODHIGOLA District- Rohtas

Ramawati Devi W/O Sunil Pasi Village Bank Hariharganj Lakh Ps
Akorhigola District Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Siddharth Harsh, Advocate

For the Opposite Party/s : Mr.Damodar Prasad Tiwary, APP

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

ORAL ORDER

3 14-05-2024 Learned counsel for the petitioner is permitted to remove defect(s) as pointed out by the office regarding the *vakalatnama* in course of the day.

2. Heard learned counsel for the petitioner and learned APP for the State.

3. The petitioner seeks bail in connection with Akorhigola P.S. Case No. 285 of 2023 instituted for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act.

4. The prosecution case, in short, is that total 15.2 litres of liquor was recovered from a bag.

5. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. No



incriminating article has been recovered from the conscious possession of the petitioner rather the recovery has been made from the from the bag. The petitioner has got no concern with the neither with the alleged recovery of liquor nor with the bag from where the recovery has been made. The petitioner is in custody since 01.01.2024 and has two criminal antecedents. There is no compliance of Section 100 of the Cr.P.C.

6. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

8. 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 Akorhigola P.S. Case No. 285 of 2023, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the



bail bonds of the petitioner.

(III) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Rudra Prakash Mishra, J)

Alok Verma/-

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