

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23235 of 2024

Arising Out of PS. Case No.-38 Year-2024 Thana- KAHALGAON District- Bhagalpur

Sulekha Devi Wife of Anil Tanti Resident of Village- Pakkisarai, P.S.-
Ghogha, Dist.- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Swapnil Kumar Singh, Advocate

For the Opposite Party/s : Ms.Shaheen Begum, APP

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

ORAL ORDER

2 21-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Kahalgaon (Rasalpur) P.S. Case No. 38 of 2024 instituted for the
offences punishable under Section 30(a) of Bihar Prohibition and
Excise Act.

3. As per the prosecution case, petitioner along with co-
accused were apprehended on the spot and from their possession
total 128 liters of illicit liquor was recovered.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. She has
falsely been implicated in this case by the police on the basis of
past antecedent. She has no concern with the alleged recovery.
Both the seizure list witnesses are police personnel which is



complete violation of Section 100 of Cr.P.C. Petitioner is languishing in judicial custody since 18.01.2024.

5. Learned APP for the State has vehemently opposed the prayer for bail.

6. Considering the facts and circumstances of the case and submissions made on behalf of the petitioner as well as period of custody of the petitioner, let the above named petitioner be released on bail *after framing of charge* on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise-11, Bhagalpur in connection with Kahalgaon (Rasalpur) P.S. Case No. 38 of 2024.

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 petitioner shall be released on bail on above conditions and she shall be 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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