

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28735 of 2024

Arising Out of PS. Case No.-75 Year-2024 Thana- Excise P.S. District- Jehanabad

Pachiya Devi Wife Of Late Rampravesh Chaudhary Resident Of Mohalla -
Horilganj, P.S. And District – Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Paras Nath, Advocate

For the Opposite Party/s : Ms. Indu Kumari Srivastava, APP

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

ORAL ORDER

2 18-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Jehanabad Excise P.S.
Case No. 75 of 2024, instituted for the offences punishable
under Sections 30(a) and 37 of the Bihar Prohibition and Excise
Act.

3. The prosecution case, in short, is that, 10 liters
liquor was recovered from plastic gallon of the petitioner and
the petitioner was found in drunken state. The petitioner was
apprehended on spot.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the



present case. No incriminating material has been recovered from the conscious possession of the petitioner. The petitioner has got no concern with the alleged recovery of liquor. It is further submitted that the said gallon containing 10 liters liquor does not belong to the petitioner. The petitioner is in custody since 30.01.2024 and has got five criminal antecedents in which the petitioner is on bail. There is no compliance of Section 100 of Cr.P.C.

5. Learned APP 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 and the period of custody undergone by the petitioner, 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Jehanabad Excise P.S. Case No. 75 of 2024, 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.

(Rudra Prakash Mishra, J)

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