

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.32670 of 2024**

Arising Out of PS. Case No.-378 Year-2021 Thana- MOTIHARI MUFASIL District- East  
Champaran

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Ramparbha Devi Wife of Ramesh Paswan R/O Vill.- Raysingha, P.S.-  
Muffasil, Dist.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Ajay Kumar Singh  
For the Opposite Party/s : Mr.Nagendra Prasad

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      10-05-2024                      1.    Heard learned counsel for the petitioner and  
learned A.P.P. for the State.

2.    The petitioner seeks bail in a case registered for the  
offences punishable under Section 414 of the Indian Penal Code  
and Section 30(a) of the Bihar Prohibition and Excise Act.

3.    Learned counsel for the petitioner submits that the  
petitioner is a person with clean antecedent and is a woman and  
allegation is of recovery of 165.375 litres of liquor from the hut  
of Ramesh Paswan.

4.    Learned counsel for the petitioner submits that  
petitioner was not arrested from the spot as such nothing was  
recovered from her conscious possession and after the  
amendment in the Excise Act in the year 2018, the concept of



deemed possession and presumed offender has been done away with but she came to be implicated based on forcible confessional statement of her husband in police custody which does not have any evidentiary value. It is next submitted that no husband will implicate his own wife and petitioner is in custody since 15-3-2024.

5. Learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

6. Considering the submission made by learned counsel for the petitioner, let the petitioner above named be released on bail on furnishing bail bond of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Muffasil P.S. Case No. 378 of 2021.

**(Satyavrat Verma, J)**

SUMIT/-

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