

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32077 of 2024

Arising Out of PS. Case No.-399 Year-2023 Thana- BAHADURPUR District- Patna

Babita Kumari @ Babita Devi Daughter Of Late Raghubir Manjhi And Wife
Of Vipeen Kumar Resident Of Village - Bahadurpur Mushari, P.S. -
Bahadurpur, District - Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandrasekhar Sharma, Advocate

For the Opposite Party/s : Dr. Kumar Uday Pratap, APP

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

ORAL ORDER

2 29-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Bahadurpur P.S. Case
No. 399 of 2023, instituted for the offences punishable under
Sections 30(a) and 36 of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 150 liters
liquor was recovered from the roof of the house of co-accused
Vikash Kumar.

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 alleged recovery has been made from the house of co-accused Vikash Kumar and name of the petitioner has transpired on the basis of secret information which was received by the police. The petitioner is in custody since 25.03.2024 and has got one criminal antecedent 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 Bahadurpur P.S. Case No. 399 of 2023.

(Rudra Prakash Mishra, J)

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