

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32840 of 2024

Arising Out of PS. Case No.-41 Year-2024 Thana- TARIYANI CHOWK District- Sheohar

Sarita Devi W/O Jitendra Sahani @ Jagga Sahani Resident of Village-
Narwara ,P.S- Tariyani , Dist- Sheohar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

For the Opposite Party/s : Mr. M K Nirala, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 28-05-2024 Heard Mr. Abhishek Kumar, learned Advocate

appearing on behalf of the petitioner and the learned Additional

Public Prosecutor for the State.

2. The petitioner apprehends her arrest in connection
with Tariyani P.S. Case No. 41 of 2024, registered for the
offences punishable under Sections 30(a) and 41(1) of the Bihar
Prohibition and Excise Act, 2016.

3. The police on a secret information conducted raid
at the house of Jitendra Sahani @ Jagga Sahani. Noticing the
police party one woman succeeded in fleeing away after
throwing bag; who was later on identified by the villagers as the
petitioner, wife of Jitendra Sahani @ Jagga Sahani. On search,
total 7.8 liters of country made foreign liquor was recovered.

4. Learned Advocate for the petitioner contended that



the name of the petitioner has been implicated in this case only on account of she being wife of Jitendra Sahani @ Jagga Sahani. Save and except the allegation that she was identified by the villagers, there is no material suggesting the complicity of the petitioner. The alleged recovery has been made near the farm of Lalan Singh, which is an open place easily accessible to all. The petitioner has no concern with the place from where the recovery has been made nor with the illicit wine.

5. On the other hand, learned counsel for the State opposed the pre-arrest bail application.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the petitioner is a lady, having fair antecedent, apart from the fact that the alleged recovery has been made from an open place easily accessible to all, let the petitioner above named be released on bail, in the event of her arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise, Sheohar in connection with Tariyani P.S. Case No. 41 of 2024, subject to the conditions laid down in Section



438(2) Cr.P.C. with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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