

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37315 of 2024

Arising Out of PS. Case No.-141 Year-2024 Thana- Excise P.S. District- Sheikhpura

NITA DEVI @ NEETA DEVI WIFE OF SUNIL PRASAD Resident of
Village - Mahannapur, Panhesa, P.S. - Sheikhopursarai @ Shekhopursarai,
District -Sheikhpura

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Roop Kishan, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Pandey, APP

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

ORAL ORDER

2 16-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Sheikhpura Excise P.S.
case No. 141 of 2024 instituted for the offences under Sections
30(a), 32, 41 and 56(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 28.5 liters
liquor was recovered from house of the petitioner.

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 recovery is made from joint house of the



petitioner where other family members also reside. The petitioner is a lady and is in custody since 24.03.2024. The petitioner has got one criminal antecedent. There is no compliance of Section 100 of Cr.P.C.

5. Learned A.P.P. 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/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sheikhpura Excise P.S. case No. 141 of 2024.

(Rudra Prakash Mishra, J)

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