

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42176 of 2024**

Arising Out of PS. Case No.-119 Year-2024 Thana- ISLAMPUR District- Nalanda

Rina Devi WIFE OF PRAMOD SAPERA VILLAGE -ICHAHOS
TAKIYAPAR PS- ISLAMPUR DISTRICT- NALANDA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Sinha, Adv.
For the Opposite Party/s : Ms.Asha Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 25-10-2024 Heard the parties.

2. The petitioner is apprehending her arrest in connection with Islampur P.S. Case No. 119 of 2024 for the offence punishable under sections 30(a) of the Bihar Prohibition & Excise Act 2018 lodged on 19.03.2024 by the informant, Sanjay Kumar Mishra.

3. As per the prosecution story, the informant upon information, went to the place at Alangpur and recovered/seized 120 liters wine kept in 12 plastic gallons of 10 liters each. One Ranju Devi was taken into custody and she gave the names of host of persons including the petitioner. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that a perusal of the FIR would show that nothing has been recovered from her conscious possession and her name has come only on the basis of the alleged confession before the police by one



Ranju Devi and she does not have criminal antecedent. His further submission is that a similarly situated accused person, Anita Devi has been granted bail in Cr. Misc. No. 45893 of 2024. Let the same be kept on record.

5. Learned APP opposes the prayer submitting that after the alleged recovery/seizure, Ranju Devi was arrested and she has given the name of the accused persons.

6. Taking into account the submission put forward by the parties as also the fact that the recovery/seizure is from an open place, nothing has been recovered from her conscious possession, the name has come in the confessional statement of Ranju Devi, she is a lady, this Court is inclined to extend her the privilege of anticipatory bail.

7. Let the petitioner, named above, be released on bail, in the event of her arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each in connection with Islampur P.S. Case No. 119 of 2024 to the satisfaction of learned 4th Additional Sessions Judge cum Special Judge, Excise-II, Nalanda at Biharsharif subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as



also the other conditions.

(i) one of the bailors should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of her bail bond by the Trial Court itself;

(iii) the petitioner shall co-operate in the investigation and make herself available to the police as and when required;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of her bail bonds.

(Rajiv Roy, J)

perwez

U		T	
---	--	---	--

