

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42420 of 2024

Arising Out of PS. Case No.-80 Year-2024 Thana- Excise Benipatti District- Madhubani

Pulam Devi W/O- Jaynath Mukhiya Village- Barhi Ward No. 9, P.S.- Harlakhi, Distt.- Madhubani

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha, Advocate
For the Opposite Party/s : Mr. Braj Kishore Pd., APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 24-06-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in G.O. Case No. 1119 of 2024, arising out of Benipatti Excise P.S. case No. 80/24 instituted for the offences under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 138.750 liters liquor was recovered from the hut and the petitioner was arrested on spot.

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 a hut which is a joint family property of the petitioner. The petitioner is in custody since 20.04.2024 and has got no 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 G.O. Case No. 1119 of 2024, arising out of Benipatti Excise P.S. case No. 80/24.

(Rudra Prakash Mishra, J)

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