

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48010 of 2024

Arising Out of PS. Case No.-27 Year-2024 Thana- BARABAR TOURIST District- Jehanabad

Mina Devi Wife Of Munarik Manjhi Village- Dharaut, Ps- Vishunganj, Dist-
Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
For the Petitioner/s : Mr. Dhananjay Kumar, Advocate
For the State : Mr. Surendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 07-08-2024 Heard the parties.

2. The petitioner is apprehending her arrest in connection with Barabar Paryatan (Vishunganj OP) P.S. Case No. 27 of 2024 for the offence under sections 30(a) of Bihar Prohibition and Excise Act lodged on 23.03.2024 by the informant, Hareram Yadav.

3. As per the prosecution story, the informant, a police Officer upon information that the liquor is being sold from the house of the petitioner raided the same and in ten plastic bottles, 20 liters liquid which seems like country made liquor recovered/seized. Thereafter, the house of Vijay Paswan was also raided and 22 liters country made liquor has been recovered, this led to lodging of the F.I.R.

4. Learned counsel for the petitioner submits that it is



a joint house, she is a house lady and has no role in the alleged recovery of the same and she do not have a criminal antecedent.

5. Learned APP opposes the prayer submitting that recovery/seizure is made from her house.

6. Taking into account the fact of the case that the petitioner is a lady and recovery has been made from the joint house not from her conscious possession and she do not have criminal antecedent, this Court is inclined to extend her the privilege of anticipatory bail with conditions.

7. Let the petitioner be released on bail in the event of arrest or surrender 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 like amount each to the satisfaction of learned Exclusive Special Excise Judge- 1st Jehanabad, in connection with Barabar Paryatan (Vishungang) P.S. Case No. 27 of 2024 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member/relative 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 his bail bond by the Trial Court itself;

(iii) 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;

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

(Rajiv Roy, J)

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