

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49661 of 2024

Arising Out of PS. Case No.-32 Year-2024 Thana- KOTHI District- Gaya

Bedamiya Devi, aged about 45 years, Female, Wife of Raja Ram Bharti,
Resident of Village - Jhikatiya Salish, P.S. - Kothi, District – Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh, Advocate

For the Opposite Party/s : Ms. Shaheen Begum, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 22-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Kothi
P.S. Case No. 32 of 2024 instituted for the offences punishable
under Sections 30(a) of the Bihar Prohibition and Excise
Amendment Act, 2018.

3. As per the allegation in the FIR, total 60 liters of
illicit liquor has been recovered from the house of the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence and has
falsely been implicated in this case. He further submits that
nothing incriminating articles has been recovered from the
conscious possession of the petitioner. He next submits that the



seized articles has been recovered from the house of the petitioner but the said house is a joint family property. Petitioner has got clean antecedent as stated in para 3 of the petition and she is in custody since 12.05.2024.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR, seizure list and the impugned order of the learned Exclusive Excise Court No. 3, Gaya dated 29.05.2024, it appears that the seized articles have been recovered from the house of the petitioner the house is a joint family property, petitioner is a lady and there is no any independent witness of the seizure list, accordingly the prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail *after framing of charge* on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Excise Court No. 3, Gaya in connection with Kothi P.S. Case No. 32 of 2024.

7. The trial Court is directed to conclude the proceeding of framing of charge according to law within a period of 15 (fifteen days) from the date of receipt of a copy of this order. However, it is made clear that *if the charge-sheet has not been submitted* then the petitioner shall be released on



bail on above conditions and he shall be present physically on each and every date before the Trial Court till conclusion of the proceeding of framing of charge.

(Ramesh Chand Malviya, J)

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