

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.51048 of 2024**

Arising Out of PS. Case No.-329 Year-2023 Thana- BIRAUL District- Darbhanga

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Sujata Devi @ Sujita Devi @ Sajiti Devi, Wife of Ram Pravesh Sada  
Resident of Village - Rajvanni Tole Boran (Rajmani), P.S.- Biraul, District -  
Darbhanga (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Vinay Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Gauri Shankar Gupta, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH**  
**ORAL ORDER**

2      21-08-2024                      Heard Mr. Vinay Kumar Mishra, learned counsel  
  
appearing on behalf of the petitioner and Mr. Gauri Shankar  
Gupta, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection  
with Biraul P.S. Case No. 329 of 2023 registered for the offence  
punishable under Section 30 (a) of the Bihar Prohibition and  
Excise Act as amended up-to-date.

3. Allegation is of recovery of 1 litre of country-made  
liquor from the house of the petitioner.

4. Learned counsel appearing on behalf of the  
petitioner submits that the petitioner has been falsely implicated  
in the case due to local village politics. Petitioner has no  
concern with the alleged seized liquor nor she is involved in



trade of liquor in any manner. The place of recovery is an open area of the house, which is accessible to anyone. Petitioner has clean antecedent. On these grounds, petitioner seeks to be released on pre-arrest bail.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner and submits that due to sale and consumption of illicit liquor, day after day, hooch tragedy occurs and the State Officials of different department appears to have facilitated smuggling and trade of illicit liquor inside the State of Bihar. As such, involvement of the petitioner cannot be ruled out from illicit trade of liquor.

6. Considering the quantity of the recovered liquor which is 1 litre, as well as, the petitioner has clean antecedent, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his/her arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge Excise II<sup>nd</sup> (Excise Act), Darbhanga, in connection with Biraul P.S. Case No. 329 of 2023, subject to the condition as laid down under Section 438(2)



of the Cr.P.C.

7. The learned District Court is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

Niraj/-

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