

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55054 of 2024

Arising Out of PS. Case No.-28 Year-2024 Thana- AYARKOTHA District- Rohtas

Rinki Kunwar @ Sujanti Devi W/O Vinod Sah R/O Village- Tandawa, P.S-
Ayarkotha, Dist- Rohtas.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Singh, Adv.
For the Opposite Party/s : Mr. Rajesh Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 31-08-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

02. In the present case, the petitioner is apprehending his arrest in connection with Ayarkotha P.S. Case No. 28 of 2024 registered for the alleged offences under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

03. As per prosecution case, police received secret information about petitioner concealing illicit liquor in a pile of straw in a wheat field behind the PACS godown. A raid was conducted and a lady fled away from the spot. On enquiry from nearby people, the name of the petitioner was disclosed as the escaped lady. On search of the place, 20 litres of country made mahua liquor was recovered.

04. Learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case. It is apparent from the F.I.R. that no offences under the provisions of the Excise Act is made out against the petitioner and nothing incriminating has been recovered from person or possession of this petitioner. The petitioner has no concern with the seized liquor as the recovery has been made from the open field which is accessible to all. The petitioner is having antecedent of one case of similar nature in which she is on bail.

05. Learned A.P.P. for the State opposes the submission made on behalf of the learned counsel for the petitioner.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the fact that no recovery has been shown from this petitioner and the place of recovery is an open place and further considering the possibility of false implication, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of Court of learned Special Judge, Excise-I, Rohtas at Sasaram in connection with Ayarkotha P.S. Case No. 28 of 2024, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:



- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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