

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55067 of 2024

Arising Out of PS. Case No.-212 Year-2024 Thana- HISUWA District- Nawada

Manju Devi Wife of Manoj Saw Resident of village - Hisua Godown, P.S.-
Hisua, District - Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Deo Raj, Adv.

For the Opposite Party/s : Mr. Parmanand 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 Hisua P.S. Case No. 212 of 2024 registered on 06.04.2024 for the alleged offences under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

03. As per prosecution case, police received information about co-accused storing illicit liquor in the two storied house of the petitioner and selling the same. A raid was conducted and co-accused Tuntun Saw was apprehended. On search of the place recovery of 7.5 litres of foreign liquor and 1.5 litres of beer was made.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case.



The petitioner does not stay in the said house and she has been living in Vardhman, West Bengal with her whole family in connection with her business. The house in question has been given to co-accused Tuntun Saw for taking care as a custodian. However, the co-accused breached the trust imposed upon him by the petitioner and used the house for illegal purposes. Learned counsel further submits that co-accused was even apprehended from the spot and no recovery has been shown from this petitioner who was not present at the spot and the petitioner has no criminal antecedent and no offences under the provisions of Excise Act is made out against the petitioner.

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 further considering completely vague and remote nature of allegation and 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 Exclusive Special Excise Judge-I, Nawada in



connection with Hisua P.S. Case No. 212 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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