

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70952 of 2024

Arising Out of PS. Case No.-20 Year-2024 Thana- Ghogha District- Bhagalpur

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Poonam Devi Wife of Niraj Mandal @ Nijal Mandal Resident of Vill-
Pakkisarai Ward No. 07, P.S.- Ghogha, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bijendra Kumar, Advocate

For the Opposite Party/s : Ms .Madhuri Lata, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 05-12-2024 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Ghogha P.S. Case No. 20 of 2024 registered on 27.03.2024 for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. As per the prosecution, a total recovery of 344 liters of country-made liquor is the subject matter of the present case.

4. It is submitted by learned counsel for the petitioner that the petitioner is innocent and has committed no offence. The petitioner along with her husband has been made accused in the present case. From the seizure list it becomes clear that recovery has not been made from the possession of the petitioner rather the said recovery has been made from a railway



overbridge which does not belong to the petitioner. The antecedent of the petitioner is not clean as she is accused in one more criminal case, but in that case, she has been granted bail. Learned counsel further submits that on the basis of disclosure made by the apprehended accused, the name of the petitioner has been inserted in this case. On earlier occasions also no recovery was made from the possession of the petitioner and on the basis of disclosure made by the stranger, her name has figured in this case. The petitioner is a female aged about 24 years and she has become accused only due to the reason that her in-laws family may be involved in the commission of the said crime.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. In the facts and circumstances, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned Court below within a period of 6 weeks from today and the learned Trial Court on being satisfied that the petitioner is not absconding in Sabour P.S. case No. 427 of 2022, on furnishing bail bond of ₹30000/- (thirty thousand) with two sureties of the like amount each to the satisfaction of the Ghogha P.S. Case No. 20/2024, in connection with learned



Additional Sessions Judge-IX, Bhagalpur, subject to the conditions as laid down under Section 438(2) of the Cr.P.C as well as the following conditions :-

(i) 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 her bail bonds by the Trial Court itself and

(ii) the petitioner shall appear before the concerned police station every month for one year to mark attendance

(Dr. Anshuman, J)

Ashwini/-

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