

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76965 of 2024

Arising Out of PS. Case No.-202 Year-2024 Thana- Excise P.S. District- Sheohar

Manju Devi Wife of Devnarayan Rai Village- Rasidpur Police Station-
Sheohar District- Sheohar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar S.K., Advocate

For the Opposite Party/s : Mr.Kanhiya Kishor, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 30-10-2024

Heard the parties.

2. The petitioner is in judicial custody in connection with Excise Prohibition P.S. Case No.-202/24 registered for the offence under Sections 30(a) of the Bihar Prohibition & Excise (Amendment) Act, 2018 lodged on 04.09.2024 by the informant, Om Prakash Kumar Yadav.

3. As per the prosecution story, the informant alleged that upon information, the police conducted raid in the cattle house of the Deo Narayan Rai and recovered/seized 382.500 liters of foreign liquor. Though, he managed to escape, the wife was apprehended. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that the alleged recovery is from a cattle house and not from the original house of the accused persons, in any case, the allegation is on



the husband, she being the wife, has been taken into custody, she is jail since 05.09.2024 (para-11 of the petition) having no criminal antecedent.

5. Learned APP opposes the prayer.

6. Taking into account the aforesaid facts as also that she is lady and has no criminal antecedent, has already remained in custody since 05.09.2024, this Court is inclined to extend her the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Exclusive Spl. Judge Excise Court, Sheohar, in connection with Excise Prohibition P.S. Case No. 202 of 2024 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show her bona fide;

(ii) 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 bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or



promise or threat the witnesses or tamper with the evidences,
failing which the State shall be at liberty to take steps for
cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any
criminal offence again, failing which the State shall be at liberty
to take steps for cancellation of her bail bonds.

(Rajiv Roy, J)

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