

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81213 of 2024

Arising Out of PS. Case No.-145 Year-2024 Thana- JALALGARH District- Purnia

-
1. Manohar Puri Son of Sonpuri Resident of Village- Chitawa, P.S.- Chitawa, District- Nagar, (Rajasthan)
 2. Munni Devi @ Kiran Devi Wife of Naresh Goswami Resident of Vill- Khata Hatt, P.S.- Jalalgadh, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Jitendra Kumar Pandey, Advocate
For the State	:	Mrs. Sucheta Yadav, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 27-11-2024

Heard the parties.

2. The petitioners are in judicial custody in connection with Jalalgadh P.S. Case No. 145 of 2024 for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, lodged on 15.09.2024 by the informant, Md. Nasir Khan.

3. As per the prosecution story, the informant alleged that upon information the house of Naresh Goswami was raided, the petitioner no.2 @ Munni Devi @ Kiran Devi was present as also the son-in-law (petitioner no.1) and there is recover/seizure of 252.750 liters of foreign liquor, this led to the F.I.R.

4. Learned counsel for the petitioners submit that while petitioner no.1 is the son-in-law who was visiting from Rajasthan having no role to play in the matter, the petitioner no.2 is a lady



and has nothing to do with seizure but only because of their presence. And the last submission is that without accepting the allegation and/or the outcome of the present case, petitioner no.2 @ Munni Devi @ Kiran Devi intends to contribute Rs.10,000/- to the District Legal Services Authority, Purnea for the purchase of Steel Benches for the Civil Court Campus of Purnea Judgeship through Demand Draft issued by the local bank of the State Bank of India.

5. Learned APP for the State opposes the prayer submitting that the petitioner no.2, the lady has criminal antecedent.

6. Considering the submissions put forward by the parties as also the fact that while the petitioner no.1 is the son-in-law, a native of Rajasthan, the petitioner no.2 is a lady, both are in custody since 16.09.2024 (paragraph no.9 of the petition), this Court is inclined to extend him the privilege of bail subject to payment of Rs. 10,000/- by the petitioner no.2 namely @ Munni Devi @ Kiran Devi as undertaken by the learned counsel for the petitioners to be paid to the District Legal Services Authority, Purnea by Demand Draft of local State Bank of India and the receipt has to be submitted before the Trial Court.

7. Let the petitioners be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties



of like amount each to the satisfaction of learned Exclusive Special Judge Excise Court No.-01, Purnea in connection with Jalalgadh P.S. Case No. 145 of 2024 subject to the following conditions:

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

(ii) the petitioners shall appear on each and every date before the Trial Court failure to do so for two consecutive dates without plausible reason will entail cancellation of his their bond by the Trial Court itself;

(iii) the petitioners shall in now 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 petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of bail bonds.

(Rajiv Roy, J)

vinayak/-

U		T	
---	--	---	--

