

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79559 of 2024

Arising Out of PS. Case No.-180 Year-2024 Thana- THALI District- Nawada

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1. Bhuini Devi @ Manti Devi W/o Late Rajkumar Ram @ Rajkumar Rajbanshi Resident Of Village- Madhopur, Ps- Thali, District- Nawada
 2. Renu Devi W/o Rajesh Rajbanshi Resident Of Village- Madhopur, Ps- Thali, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Advocate
For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 19-11-2024 Heard the parties.

2. The petitioners are in custody in connection with Thali P.S. Case No. 180 of 2024 for the offence punishable under sections 30(a) and 41 of the Bihar Prohibition and Excise Act lodged on 20.07.2024 by the informant, Guddu Kumar Mishra.

3. As per the prosecution story, the informant alleged that during patrolling and on secret information, they reached the Tikba Baba Forest where the accused tried to escape but some of them were apprehended including these petitioners and there is recovery/seizure of 300 liters country-made liquor. This led to the FIR/arrest.



4. Learned counsel for the petitioners submit that only because of criminal antecedent they have been implicated, the two petitioners are mother and daughter and have remained in custody since 21.08.2024 (paragraph-7 of the petition)

5. Learned APP, Mr. Jitendra Kumar Singh opposes the prayer for bail submitting that they have criminal antecedent.

6. Taking into account the submissions put forwarded by the parties as also the fact that they have remained in custody since 21.08.2024, FIR lodged, will be facing the trial and both are ladies, this Court is inclined to extend them the privilege of bail with conditions.

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 Excise Court-1, Nawada, in connection with Thali P.S. Case No. 180 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/her bona fide;

(ii) the petitioners 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 their bail bond by the Trial Court itself;

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

(Rajiv Roy, J)

Adnan/-

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