

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82867 of 2024

Arising Out of PS. Case No.-1115 Year-2024 Thana- Excise P.S. District- Gaya

Sanjana Devi Wife of Kanhai Paswan @ Kanhai Kumar Resident of Village -
Kandi Nawada, Police Station - Chandauti, District - Gaya (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Soni Kumari, Advocate

For the Opposite Party/s : Mr.Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 04-12-2024 Heard Ms. Soni Kumari, learned counsel for the
petitioner and the State.

2. The petitioner is in judicial custody in connection with Excise Sadar (Gaya) P.S. Case No. 1115 of 2024 for the offence punishable under Sections 30(a) and 45 of the Bihar Prohibition and Excise Act lodged on 22.10.2024 by the informant, Chandra Shekhar.

3. As per the prosecution story, the Police upon information, raided the house of the petitioner and there is recovery/seizure of 3.99 liters of foreign liquor and 80.00 liters of Mahua wine. This led to the FIR and the lady who was present, was arrested.

4. The case of the petitioner is that it is the joint house, the petitioner being the house wife had no knowledge



about the presence of liquor, has clean antecedent and remained in custody since 23.10.2024.

5. Learned APP opposes the prayer submitting that there is recovery of liquor from the house.

6. Taking into account the aforesaid facts as also that the petitioner is a lady having no criminal antecedent, this Court is inclined to extend him 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 Excise Court No.3, Gaya, in connection with Excise Sadar (Gaya) P.S. Case No. 1115 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 his 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 his 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 his bail bonds.

(Rajiv Roy, J)

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