

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85194 of 2024

Arising Out of PS. Case No.-278 Year-2024 Thana- MASHRAK District- Saran

Nirmala Devi @ Urmila Devi Wife of Prem Ram village- Kheranpur,
Pachkhanda, Ps- Mashrakh, Dist- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nawal Kishore Singh, Adv.

For the Opposite Party/s : Mr. Manoj Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-12-2024 Heard learned counsel for the petitioner and learned A.P.P.
for the State.

2. The petitioner apprehends her arrest in a case registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

3. Altogether 05 litres of illicit spirit has been recovered from front of house of the petitioner.

4. It is submitted by learned counsel for the petitioner that the petitioner is quite innocent and has committed no offence. No incriminating article has been recovered from the conscious possession of the petitioner or from her house. She has no concern either with the seized liquor or the place of recovery or any trade of liquor. The allegation levelled against the petitioner is totally false and based on concocted facts. She was not



apprehended on the spot. Her name has been transpired in the present case merely on suspicion. She has one criminal antecedent of similar nature of offence that of the present case.

5. Petitioner is agreed to deposit a sum of Rs. 10,000.00 (Rupees Ten Thousand) in account of Mahavir Cancer Sansthan, Patna bearing Account No. 3332964762, IFSC Code: CBIN0282779, MICR Code: 800016018, Central Bank of India, Chitkohra Branch, Patna.

6. Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of her arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending/successor Court in connection with Mashrakh P.S. Case No. 278 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C., subject to the further conditions that

(1) That one of the bailors will be a close relative of the petitioner, who will give an affidavit giving genealogy as to how he is related with the petitioner. He will also undertake to inform the Court if there is any change in the address of the petitioner.

(2) That the bailor shall also state on affidavit that he will



inform the Court concerned if the petitioner is implicated in any other case of similar nature after her release in the present case and thereafter the Court below will be at liberty to initiate proceeding for cancellation of bail on the ground of misuse.

7. The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of the aforesaid amount in Mahavir Cancer Sansthan, Patna.

(Anjani Kumar Sharan, J)

divyanshi/-

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

