

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84226 of 2024

Arising Out of PS. Case No.-229 Year-2024 Thana- BAUNSI District- Araria

Nirmala Devi Wife of Late Yugeshwar Rishidev Resident of village-
Nandanpur ward no 05, police station- Bounsi, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana, Advocate

For the Opposite Party/s : Mr.Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 11-12-2024 Heard Mr. Mukesh Kumar Rana, learned counsel for
the petitioner and the State.

2. The petitioner is in judicial custody in connection
with Bausi P.S. Case No. 229 of 2024 for the offence
punishable under Sections 30(a) of the Bihar Prohibition and
Excise Act lodged on 02.10.2024 by the informant, Neyaz
Ahmad.

3. As per the prosecution story, the informant alleged
that the Police on information, raided the house of the petitioner
and there is recovery/seizure of 69 liters of illicit country made
liquor from the court yard. This led to the FIR.

4. It is the case of the petitioner as narrated by the
learned counsel that she being the house wife had no knowledge
about the presence of the liquor, court yard is the joint property,



she is in custody since 03.10.2024 having no criminal antecedent.

5. Learned APP opposes the prayer.

6. Considering the aforesaid facts as also the petitioner is a lady and has already remained in custody since 3.10.2024 having no criminal antecedent and the recovery/seizure is from the joint house, 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 Special Judge Excise-II, Araria, in connection with Bausi P.S. Case No. 229 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 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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