

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84349 of 2023

Arising Out of PS. Case No.-510 Year-2023 Thana- CHHATAUNI District- East Champaran

GITA DEVI WIFE OF LATE LAKHAN SAH RESIDENT OF VILLAGE -
BANGALI COLONY GALI NO.4, P.S. - CHHATAUNI, DISTRICT - EAST
CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Pradeep Narain Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 08-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in a case registered
for the offence punishable under section 30(a) of the Bihar
Prohibition and Excise Act.

Prosecution case relates to recovery of total 21 liters
of foreign liquor from the house of co-accused Suraj Sah.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. Petitioner is an old lady and she has falsely been
implicated in this case because she happens to be the mother of
the co-accused Suraj Sah. She has no concern with the alleged
recovery of liquor. Neither she was arrested on spot nor any



incriminating article has been recovered from her conscious possession. Provision of Section 100 Cr.P.C. has not been followed by the police personnel while preparing the seizure list. She is languishing in judicial custody since 28.10.2023.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No.1, East Champaran, Motihari in connection with Chhatauni P.S. Case No. 510 of 2023.

(Sunil Kumar Panwar, J)

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