

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1140 of 2025

Arising Out of PS. Case No.-391 Year-2024 Thana- CHIRAIYA District- East Champaran

Samsuniya Khatoon W/O Late Shekh Mukhtar R/O Village- Harbolawa, P.S-
Chiraiya, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suraj Kumar Tiwari, Advocate

For the Opposite Party/s : Mr. Rana Randhir Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 23-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Chiraiya PS Case No. 391 of 2024 instituted for the offences
under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 2.7 litres
of Nepali liquor was recovered from Plastic Sack.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. The petitioner has got
no concern with the alleged recovery of liquor. Petitioner is
lady. It is submitted that recovery is from an open place, which
is accessible to one and all. It is further submitted that recovered



plastic sack does not belong to the petitioner. The petitioner is in custody since 07.10.2024 and has got two criminal antecedents in which he is on bail. There is no compliance of Section 103 of B.N.S.S.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Chiraiya PS Case No. 391 of 2024.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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