

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24740 of 2025**

Arising Out of PS. Case No.-101 Year-2024 Thana- TURKAULIYA District- East
Champaran

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Shobha Devi W/o- Sanjay Chaudhary Resident of village- Govindapur Ps-
Turkauliya District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hemant Ray, Advocate
For the Opposite Party/s : Dr. Mrityunjaya Kr.Gautam, APP

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

ORAL ORDER

2 22-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Turkauliya P.S. Case No. 101 of 2024, instituted for the offences
punishable under Sections 272, 273/34 of the Indian Penal Code
and Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, total 40 liters
of spirit was recovered out of which 23 liters of spirit was
recovered from behind the house of the petitioner.

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 spirit. Learned counsel for the petitioner also submits that the petitioner is a lady and her name has transpired in this case on the basis of confessional statement made by co-accused person and the same has got no evidentiary value. It is further submitted that the alleged recovery has been made from behind the house of the petitioner and the same is an open place which is easily accessible to public at large. The petitioner is in custody since 13.01.2025 and has got one criminal antecedent in which she is on bail. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted regular bail by this Court vide order dated 10.04.2024 passed in Cr. Misc. No. 27988 of 2024. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

5. Learned APP 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court



below/concerned Court in connection with Turkauliya P.S. Case
No. 101 of 2024.

(Rudra Prakash Mishra, J)

Rajorshi/-

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