

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37915 of 2025

Arising Out of PS. Case No.-85 Year-2022 Thana- RIVILGANJ District- Saran

Shiv Kumari Devi Wife of Bigan Manjhi R/O Vill- Salempur, P.S.- Rivilganj,
District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 02-07-2025 Heard Mr.Ajit Kumar Singh, learned counsel for the
petitioner and Mr.Ajit Kumar, learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since
02.05.2025 in connection with Rivilganj P.S. Case No. 85 of
2022, F.I.R. dated 15.03.2022 registered for the offence
punishable under Sections 414/34 of IPC and Section 30(a) of
Bihar Prohibition and Excise Act.

3. Recovery is of 140 liters of country made liquor.

4. Learned counsel appearing for the petitioner
submits that the petitioner has clean antecedent and she has
falsely been implicated in the present case. Further submits from
a bare perusal of the FIR it appears that nothing has been
recovered from conscious possession of the petitioner rather the
recovery has been made from possession of co-accused person,



namely, Ajit Rai and petitioner has no concern at all with the alleged recovery of illicit liquor or the co-accused person and name of the petitioner has been transpired during investigation on the basis of the confessional statement of co-accused person, namely, Ajit Rai and the petitioner is in custody since 02.05.2025.

5. Learned APP for the State has opposed the prayer for bail of the petitioner.

6. Considering the aforesaid fact, petitioner has clean antecedent, nothing has been recovered from conscious possession of the petitioner and name of the petitioner has been transpired during investigation on the basis of the confessional statement of co-accused person, namely, Ajit Rai, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Exclusive Excise-II, Saran at Chapra in connection with Rivilganj P.S. Case No. 85 of 2022, with the following conditions:-

(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and



on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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