

(2019) 12 PAT CK 0286

In the Patna High Court

Case No : Criminal Miscellaneous No. 71203 Of 2019

Bebi Devi

APPELLANT

Vs

State Of Bihar

RESPONDENT

Date of Decision : 11-12-2019

Acts Referred:

Bihar Prohibition And Excise Act, 2019 — Section 30(a)

Citation : (2019) 12 PAT CK 0286

Hon'ble Judges : Ahsanuddin Amanullah, J

Bench : Single Bench

Advocate : Deepak Kumar, Jharkhandi Upadhyay

Final Decision : Disposed Of

Judgement

1. Heard learned counsel for the petitioner and learned APP for the State.
2. The petitioner seeks bail in connection with Kashichak (Shahpur OP) PS Case No.142 of 2019 dated 07.05.2019 instituted under Section 30(a) of the Bihar Prohibition and Excise Act, 2019.
3. The allegation against the petitioner is that from her house, upon raid, 60 litres illicit liquor was recovered.
4. Learned counsel for the petitioner submitted that the police came to raid her house and she was alone and just because of that she has been arrested. It was submitted that she was totally unaware of the position and at best, the allegation could be sustainable against the husband, who being the master of the house is also responsible for earning money to run the family and the petitioner is a simple house wife. It was submitted that she is in custody since 07.09.2019.
5. Learned APP submitted that from her house 60 litres of different brands of illicit liquor has been recovered.
6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon

furnishing bail bond of Rs.25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of the Second Additional District and Sessions Judge cum Special Judge, Nawada, in Kashichak (Shahpur OP) PS Case No.142 of 2019, subject to the conditions (i) that one of the bailors shall be close relative of the petitioner (ii) that the petitioner and the bailors shall execute bond with regard to good behaviour of the petitioner. The petitioner shall also give an undertaking to the Court that she shall not indulge in any criminal activity. Any violation of the terms and conditions of the bonds or the undertaking shall lead to cancellation of her bail bonds. The petitioner shall cooperate in the case and be present before the Court on each and every date. Failure to cooperate or being absent on two consecutive dates, without sufficient cause, shall also lead to cancellation of her bail bonds.

7. The application stands disposed off.