

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36931 of 2025**

Arising Out of PS. Case No.-382 Year-2024 Thana- DUMRAO District- Buxar

Suman Devi W/O Mosafir Rai R/O Village- Lalganj Karavi, P.S- Dumraon, Dist.- Buxar.

... ... Petitioner/s

Versus

The State of Bihar Bihar

... ... Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Dimpal Kumari, Advocate

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 30-06-2025 Heard Ms. Dimpal Kumari, learned counsel for the petitioner and Mr. Damodar Prasad Tiwary, learned APP for the State.

2. Petitioner seeks bail, who is in custody since 05.05.2025, in connection with Dumraon P.S. Case No. 382 of 2024, F.I.R. dated 31.12.2024 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2018.

3. Recovery is of 20 litres of country made liquor.

4. Learned counsel for the petitioner submits that the petitioner is innocent and she has been falsely implicated in the present case. She further submits that it appears from the F.I.R. as well as seizure list that nothing has been recovered from the conscious possession of the petitioner rather recovery has been



made near the house of the petitioner and altogether 20 litres of country made liquor was recovered and the petitioner has been made accused on the basis of suspicion and except the aforesaid, no other cogent material has come during investigation to suggest the involvement of the petitioner in the present occurrence. The petitioner is in custody since 05.05.2025.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries three more cases other than the present one of similar nature but fairly submits on the basis of paragraph-3 of the bail petition that the petitioner is on bail in all the pending matters.

6. Considering the facts and circumstances of the case and the fact that nothing has been recovered from the conscious possession of the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise Court No 1, Buxar in connection with Dumraon P.S. Case No. 382 of 2024, subject to the following conditions :-

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

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

(3) 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 her criminal antecedents, 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.

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(Rajesh Kumar Verma, J)

