

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13978 of 2017

Arising Out of PS.Case No. -348 Year- 2016 Thana -GOPALGANJ TOWN District- GOPALGANJ

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Kailashi Devi, Wife of Late Binda Pasi @ Binda Chaudhary, resident of village - Khajurbani, ward no. 25, P.S. Gopalganj Town, District - Gopalganj

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Shakti Suman Kumar

For the Opposite Party/s : Mr. Parmeshwar Mehta

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 20-06-2017

Heard learned counsel for the petitioner.

This is an application for bail in connection with Gopalganj Town P.S.Case No. 348 of 2016 registered for the offences punishable under Sections 328, 304, 120B/34 of the Indian Penal Code and 50 (a) (b) (c) of Bihar Excise (Amendment) Act, 2016.

Allegation as per FIR is that four persons died after taking illicit liquor and it is alleged that petitioner has taken toddy from the shop of Nagina Pasi, who has manufactured the same and the main allegation is against Nagina Pasi and the petitioner has been made accused in this case because she is doing the business of toddy.

It has been submitted on behalf of the petitioner that



petitioner has falsely been implicated in this case and she has no criminal antecedent. It has further been submitted that co-accused Chhathu Chaudhary @ Chhathu Pasi, Reeta Pasi and Lal Babu Pasi have already been granted bail by this Court in Cr.Misc.Nos. 12275, 7328 & 13639, all of 2017, vide orders dated 29.3.2017, 30.3.2017 & 22.3.2017 respectively and petitioner, who is a lady, is in custody since 17.9.2016.

Heard learned APP also, who could not controvert the above submission.

Having heard both sides and considering the aforesaid facts and circumstances and also considering the fact that main allegation is against Nagina Pasi, let the petitioner, named above, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Gopalganj, in connection with Gopalganj Town P.S.Case No. 348 of 2016, subject to the conditions that :-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable properties within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.



(iii) The petitioner shall cooperate in the disposal of trial and make herself available as and when required by the court and on the event of failure on her part to appear before the court below on two consecutive dates without showing any genuine reason, the prosecution is free to move for cancellation of her bail.

(Vinod Kumar Sinha, J)

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