

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8756 of 2019

Arising Out of PS. Case No.-209 Year-2018 Thana- CHERIYA BARIYARPUR District-
Begusarai

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BINDU DEVI @ INDU DEVI W/o Lalit Paswan village-Karor, P.S-Cheriya
Bariyarpur, District Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Yogesh Kumar
For the Opposite Party/s : Mr. Murli Dhar

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 15-02-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Cheria
Bariyarpur P.S. Case No. 209 of 2018 for offences punishable
under Sections 30(a) of the Bihar Prohibition and Excise Act,
2016.

The prosecution case, as lodged by the informant, is
that the petitioner was found with 10 litres of mahua wine kept
in a plastic gallon. Accordingly, a seizure-list was prepared.

It has been submitted by the learned counsel for the
petitioner that she is innocent and has been falsely implicated in
the aforesaid case. It is submitted that the petitioner being a lady
has been sufficiently punished as she is languishing in judicial



custody since 10.11.2018 for more than three months.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner does not bear a clean antecedent and one more case of similar nature is pending against her.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged 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 (Excise), Begusarai, in connection with Cheriya Bariyarpur P.S. Case No. 209 of 2018, subject to the following conditions :

1. One of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.
2. If the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to move the learned court below for cancellation of her bail bonds.

Rajesh/-

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(Nilu Agrawal, J)

