

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9947 of 2019

Arising Out of PS. Case No.-793 Year-2018 Thana- KADAMKUAN District- Patna

SHANNU W/o Mukarim @ Md. Mokarim resident of Subjibagh, P.S-
Pirbahor, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mira Kumari

For the Opposite Party/s : Mr.Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 27-02-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Special Case No. 12364 of 2018 arising out of Kadamkuan P.S. Case No. 793 of 2018 registered for the offence punishable under Sections 414, 413, 34 of the Indian Penal Code and Sections 3(2), 5(D), 6, 9 of the Immoral Traffic (Prevention) Act & under Section 30(a) of the Bihar Prohibition & Excise Act, 2016.

It is alleged in the FIR that police got information about keeping of theft idol and also commission of illegal act in the house of Ashok Kumar Khandelia. The police raided the aforesaid house and apprehended the petitioner and other



accused persons as named in the FIR. It is further alleged that one Samsung mobile was recovered from the possession of petitioner.

It has been submitted on behalf of the petitioner that petitioner is a lady and she is innocent and has been falsely implicated in this case. It has been further submitted that the liquor belong to the owner of the said house i.e. Ashok Kumar Khandelia. It has been further submitted that similarly placed co-accused, namely, Amit Kumar, Kusum Devi and Manoj Kumar have been granted bail by a co-ordinate Bench of this Court vide order dated 08.02.2019 passed in Cr. Misc. No. 7495 of 2019, order dated 14.02.2019 passed in Cr. Misc. No. 8794 of 2019 and order dated 14.02.2019 passed in Cr. Misc. No. 8623 of 2019 respectively. Petitioner has no criminal antecedent and she is in custody since 31.12.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon 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, Patna, in connection with Special Case No. 12364 of 2018 arising out of Kadamkuan P.S. Case No. 793 of 2018 subject to the conditions that:-



(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be represented on each and every date fixed by the court.

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

(4) If the petitioner is found involved in similar nature of offences, after his release on bail the trial court shall take steps to cancel his bail bond.

(S. Kumar, J)

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