

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 82684 of 2019

Arising Out of PS. Case No.-146 Year-2019 Thana- DANAPUR RAIL P.S. District- Patna

Sanichari Devi aged about 45 years (Female) Wife of Late Binod Paswan
Resident of - Sayed Nagar, P.S.- Khagaul, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sayed Imran Ghani
For the Opposite Party/s : Mr.Md. Shakir Ahmad

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 12-12-2019 Heard learned counsel for the parties.

The petitioner seeks bail in Danapur Rail P.S. Case No. 146 of 2019, Special Case No. 9796 of 2019, registered for the offence under Section 30(a) of Bihar Prohibition and Excise Act, 2016.

It is a case of recovery of 11.80 liters of illicit liquor from the petitioner, who was coming from a train.

It is submitted on behalf of petitioner that petitioner has falsely been implicated in this case due to enmity and nothing has been recovered from her conscious possession. It is further submitted that mandatory provision of Section 100 Cr.P.C. has not been followed with respect to search and seizure. There is also no allegation against the petitioner of tampering with the evidence and petitioner is in custody since 05-11-2019.

Considering the aforesaid facts and circumstances as



well as nature of accusation, let the above named petitioner 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), Patna in connection with Danapur Rail P.S. Case No. 146 of 2019, Special Case No. 9796 of 2019 on the following conditions:

“(1) Petitioner shall cooperate 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 witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.”

(Prabhat Kumar Singh, J.)

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