

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7556 of 2020

Arising Out of PS. Case No.-40 Year-2019 Thana- RAGHOPUR District- Vaishali

SULEKHA DEVI Daughter of Raj Kumar Rai Resident of Village- Rustampur Pachpeiya, P.S.- Raghapur, District- Vaishali, At present Wife of Shashi Ranjan Kumar, resident of Mohalla- Deedarganj Dharamshala, P.O.- Katra Bazar Samiti (Patna City), P.S.- Deedarganj, District- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Rudal Singh, Advocate
For the Opposite Party/s : Mr.Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 03-03-2020 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The petitioner is seeking anticipatory bail in connection with Raghapur P.S. Case No. 40/2019 registered under Sections 30(a), 32(iii) of Bihar Prohibition and Excise (Amendment) Act, 2018.

Learned counsel for the petitioner submits that the petitioner is the married daughter of the co-accused Raj Kumar Rai. As per prosecution story the illicit liquor was recovered from the house of said Raj Kumar Rai. The married daughter has been falsely implicated in this case



and she has got no criminal antecedent.

Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

Considering the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioner that she is the married daughter of the co-accused Raj Kumar Rai and even if as per prosecution story the illicit liquor was recovered from the house of said Raj Kumar Rai, the married daughter has been falsely implicated in this case as she has no concern with her father's place and at this stage after her marriage, let in the event of her arrest/surrender before the court below within a period of four weeks, the above-named petitioner be enlarged on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge – II cum Excise Court, Vaishali at Hajipur, in connection with Raghapur P.S. Case No. 40/2019, subject to condition as laid down under Section 438(2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself



available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

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