

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7825 of 2020

Arising Out of PS. Case No.-1 Year-2020 Thana- SAHPUR District- Bhojpur

LALITA DEVI Wife of Ramesh Paswan Resident of Village - Damodarpur,
P.S.- Shahpur (Bahoranpur O.P.), Distt - Bhojpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amarendra Kumar
For the Opposite Party/s : Mr.Nand Kumar

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 28-02-2020 Heard learned counsel for the parties.

Petitioner, apprehends her arrest in a case registered for the offences punishable under Sections 30(a) of Bihar Prohibition and Excise Act, 2016.

Informant has alleged that on 01.01.2020 at about 16:35 he received a secret information that petitioner is selling Mahua wine after preparing the same in her house and on receiving such information he reached said place and saw that co-accused Ramesh Paswan and his wife (petitioner) fleeing away from their house. In the meantime, police party searched the house of the petitioner and recovered 10 liters Mahua wine.

It has been submitted on behalf of the petitioner that she is innocent and has been falsely implicated in this case. Nothing has been recovered from her possession. Husband of petitioner has already been made accused in this case and both



cannot be made accused for same offence. Petitioner has no criminal antecedent.

Considering the facts and circumstances of the present case, let petitioner, above named, in the event of arrest or surrender within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on pre-arrest bail on furnishing bail bond of Rs. 20,000/- (twenty thousand only) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in connection with Shahpur (Bahoranpur) P.S. Case No. 01 of 2020, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure with following conditions:

- (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 present on each and every date fixed by the court and her absence on two consecutive dates without proper and valid reason trial court shall have liberty to cancel her bail bond.
- (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 her release on bail the trial court shall take steps to cancel his bail bonds.

(S. Kumar, J)

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