

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16632 of 2020

Arising Out of PS. Case No.-382 Year-2019 Thana- NOORSARAI District- Nalanda

REKHA DEVI Wife of Dharmendra Manjhi Resident of Village - Jagdishpur,
Tiyari, P.S.- Noorsarai, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar, Adv.

For the Opposite Party/s : Mr.Atul Chandra, Adv.

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 12-10-2020

The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.

Heard learned counsel for the petitioner and learned counsel for the State.

Petitioner apprehends his arrest in a case registered under Section 30(a) of Bihar Prohibition and Excise Act, 2016.

Allegation is recovery of 9 litres of illegal wine from the house of petitioner.

It has been submitted on behalf of the petitioner that petitioner is lady and she is innocent and has been falsely implicated in this case. It has been further submitted that she is not residing in her house because it is in dilapidated condition rather she is residing at Bhatha Par where she is working as



labourer. Nothing was recovered from the possession of petitioner. Petitioner has no criminal antecedent.

Considering the facts and circumstances of the case, prayer of anticipatory bail is allowed and petitioner named above in the event of arrest or surrender before the court below within four weeks from today, Petitioner is directed to be released on bail on furnishing bail bonds of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned 3rd Additional Session Judge cum Special (Excise), Nalanda at Bihar Sharif, in connection with Noorsarai P.S. Case No. 382 of 2019, subject to the conditions 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 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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