

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.17348 of 2020**

Most. Bimla Devi @ Bimla Devi aged about 55 years (female) Wife of Late
Bajrangi Paswan, R/o village- Kabilpur, P.S.- Bahadurpur, District-
Darbhanga

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Kedar Jha, Advocate

For the Opposite Party/s : Md. Rana Randhir Singh, APP

Mr. Akhileshwar Dayal, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 13-05-2020

This application has been placed for consideration by
the order of the Hon'ble the Chief Justice through virtual court
proceeding.

Mr. Akhileshwar Dayal, who is the incharge APP of
the Court has logged in but there was some audio problem,
therefore, he was also connected through the mobile of the
Bench Officer and was heard.

This is an application for grant of regular bail to the
sole petitioner in connection with Bahadurpur P.S. Case No. 64
of 2020 registered for the offences punishable under Section
30(a) of Bihar Prohibition and Excise Act, 2016.

It is the submission of learned counsel for the
petitioner that nothing has been recovered from the house of the
petitioner rather the recovery has been made from the ruined



abandoned free house situated near the house of the petitioner and she has no concern with the place of alleged recovery. It is his further submission that the petitioner is in custody since 03.02.2020 and investigation against her is complete.

Learned APP for the State has opposed the prayer for regular bail of the petitioner. It is, however, not the case of the State that the investigation in the case is not complete and/or release of the petitioner is at this stage in any way going to affect the trial.

Considering the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioner that the petitioner is in custody since 03.02.2020, investigation against her is complete and there is no chance of tampering with the evidence if the petitioner is released on bail as there is no such submission on behalf of the State, this Court directs release of the petitioner above named on bail in connection with Bahadurpur P.S. Case No. 64 of 2020 (G.O. Case No. 151 of 2020) on furnishing of bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction learned Additional Sessions Judge II-cum-Special Judge, Excise Act, Darbhanga, subject to the conditions as laid down under Section 437(3) of the Cr.P.C. as under:



(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, or the commission of which he is suspected, and

(c) that such 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 or tamper with the evidence.

And further condition that she will abide by and observe the guidelines and directives of the Government of India and the State Government with regard to COVID-19 Pandemic during the lockdown period. The authorities concerned shall take appropriate steps to ensure such observance prior to and after release of the petitioner.

This application stands disposed of.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

